This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

+ *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.

+ *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.

+ *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.

+ *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at `http://books.google.com/`

3 2044 011 451 820

BR2102.90.110

HARVARD COLLEGE
LIBRARY

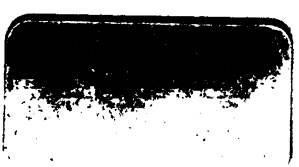
FROM THE BEQUEST OF

CHARLES SUMNER

CLASS OF 1830

Senator from Massachusetts

FOR BOOKS RELATING TO
POLITICS AND FINE ARTS



LETTERS SPEECHES AND TRACTS ON IRISH AFFAIRS

LETTERS
SPEECHES AND TRACTS
ON IRISH AFFAIRS

BY

EDMUND BURKE

COLLECTED AND ARRANGED BY

MATTHEW ARNOLD

WITH A PREFACE

London
MACMILLAN AND CO.
1881

~~5475.15~~
SEP 27 1881
2102.90.110 Sumner fund.
HARVARD UNIVERSITY LIBRARY

PREFACE.

Who now reads Bolingbroke? Burke once asked; and if the same question were at this day asked in respect to Burke himself, what would be the answer? Certainly not that he is read anything like as much as he deserves to be read. We English make far too little use of our prose classics,—far less than the French make of theirs. The place which a writer like Pascal, for instance, fills in French education, and in the minds of cultivated Frenchmen in general, how different is it from the place which Burke fills in our reading and thoughts, and how much larger! Shakespeare and Milton we are all supposed to know something of; but of none of our prose classics, I think, if we leave stories out of the account, such as are the *Pilgrim's Progress* and the *Vicar of Wakefield*, are we expected to have a like knowledge. Perhaps an exception is to be made for Bacon's *Essays*, but even of this I do not feel sure. Our grandfathers were bound to know their Addison, but for us the obligation has ceased; nor is that loss, indeed, a very serious matter. But to lose Swift and Burke out of our mind's circle of acquaintance is a loss

indeed, and a loss for which no conversance with contemporary prose literature can make up, any more than conversance with contemporary poetry could make up to us for unacquaintance with Shakespeare and Milton. In both cases the unacquaintance shuts us out from great sources of English life, thought, and language, and from the capital records of its history and development, and leaves us in consequence very imperfect and fragmentary Englishmen. It can hardly be said that this inattention to our prose classics is due to their being contained in collections made up of many volumes,—collections dear and inaccessible. Their remaining buried in such collections,—a fate so unlike that which has been Rousseau's in France, or Lessing's in Germany,—is rather the result of our inattention than its cause. While they are so buried, however, they are in truth almost inaccessible to the general public, and all occasions for rescuing and exhibiting representative specimens of them should be welcomed and used.

Such an occasion offers itself, for Burke, in the interest about Ireland which the present state of that country compels even the most unwilling Englishman to feel. Our neglected classic is by birth an Irishman; he knows Ireland and its history thoroughly. "I have studied it," he most truly says, "with more care than is common." He is the greatest of our political thinkers and writers. But his political thinking and writing has more value on some subjects than on others; the value is at its highest when the subject is Ireland. The writ-

ings collected in this volume cover a period of more than thirty years of Irish history, and show at work all the causes which have brought Ireland to its present state. The tyranny of the grantees of confiscation; of the English garrison; Protestant ascendency; the reliance of the English Government upon this ascendency and its instruments as their means of government; the yielding to menaces of danger and insurrection what was never yielded to considerations of equity and reason; the recurrence to the old perversity of mismanagement as soon as ever the danger was passed,—all these are shown in this volume; the evils, and Burke's constant sense of their gravity, his constant struggle to cure them. The volume begins with the *Tracts on the Popery Laws*, written probably between 1760 and 1765, when that penal code, of which the monstrosity is not half known to Englishmen, and may be studied by them with profit in the *Tracts*, was still in force, and when Irish trade was restricted, almost annulled, from jealousy lest it should interfere with the trade of England. Then comes the American war. In the pressure of difficulty and danger, as that war proceeded, Lord North's Government proposed, in 1778, to conciliate Ireland by partly withdrawing the restrictions on her trade. The commercial middle class,—the class with which a certain school of politicians supposes virtue, abhorring nobles and squires, to have taken refuge,—the men of Liverpool, Manchester, Glasgow, and Bristol, were instantly in angry movement, and forced the Minister to abandon his

propositions. The danger deepened; Spain joined herself with France and America; the Irish volunteers appeared in arms. Then, in 1779, the restrictions on Irish trade, of which the partial withdrawal had been refused the year before, were withdrawn altogether. But the irritation of his constituents at his supporting this withdrawal, and at his supporting a measure of relief to Catholics, cost Burke his seat at Bristol. Meanwhile, the Irish Parliament proceeded in establishing its independence of that of Great Britain. Irish affairs were controlled by Irish legislators; the penal laws were relaxed, the Catholics admitted to the franchise, though not to Parliament. The English Government had to govern Ireland through the Irish Legislature. But it persisted on leaning upon that party in the Irish Legislature,—a Protestant Legislature, no doubt, but containing such patriotic and liberal Protestants as Grattan,—it persisted on leaning upon that party which represented Protestant ascendency and the rule of the grantees of confiscation in its worst form. In 1789 came the French Revolution. To remove the disabilities under which the Catholics of Ireland still lay was a measure which commended itself to all the best politicians at that time. The English Government sent, in 1795, Burke's friend, Lord Fitzwilliam, as Viceroy to Ireland. Lord Fitzwilliam was the declared friend of Catholic emancipation. It seemed on the point of being granted, when the Irish Protestant junto, as Burke calls it, prevailed with Mr. Pitt, and Lord Fitzwilliam was recalled. In 1797 Burke died,

full of mournful apprehensions for the future; in 1798 came the Irish Rebellion. But with the Rebellion we pass beyond the life of Burke, and beyond the period of Irish history covered by this volume.

The rapid summary just given of that history, from 1760 to 1797, will afford a sufficient clue to the writings and speeches which follow. Burke, let me observe in passing, greatly needs to be re-edited; indeed, he has never yet been properly edited at all. But all that I have attempted to do in the present volume is to arrange chronologically the writings and speeches on Irish affairs, which, in Burke's collected works, are now scattered promiscuously; and to subjoin the most important of his private letters on the same subject, taken from the correspondence published in 1844 by the late Lord Fitzwilliam, the son of Burke's friend, the Irish Viceroy.[1] In my opinion, the importance of Burke's thoughts on the policy pursued in Ireland is as great now as when he uttered them, and when they were received, as he himself tells us, with *contempt*. "You do not suppose," said Mr. Bright the other day in the City,—"you do not suppose that the fourteen members of the Government spend days and weeks in the consideration of a measure such as the Irish Land Bill without ascertaining in connexion with it everything everybody else can know." Alas! how many English Governments have been confident

[1] The copyright of these Letters belongs to Messrs. Rivington, and I have to thank them for their kindness in permitting me to print such as I needed for my purpose.

that they had ascertained in connexion with their Irish policy "everything everybody else could know!" Burke writes to Mrs. Crewe that a work of his has, he is told, "put people in a mood a little unusual to them—*it has set them on thinking.*" "One might have imagined," he adds, "that the train of events, as they passed before their eyes, might have done that!" Nevertheless, it does not; and so, he concludes, "Let them think now who never thought before!" In general, our Governments, however well informed, feel bound, it would seem, to adapt their policy to our normal mental condition, which is, as Burke says, a non-thinking one. Burke's paramount and undying merit as a politician is, that instead of accepting as fatal and necessary this non-thinking condition of ours, he battles with it, mends and changes it; he will not rest until he has "put people in a mood a little unusual with them," until he has "set them on thinking."

CONTENTS.

I.

PAGE

Tracts on the Popery Laws 1

II.

A Letter to Sir Charles Bingham, Bart., on the Irish Absentee Tax 70

III.

A Letter to the Honourable Charles James Fox . 84

IV.

Two Letters to Gentlemen in Bristol—

To Samuel Span, Esq., Master of the Society of Merchants Adventurers of Bristol . . 97

To Messrs. ——— and Co., Bristol . . 108

V.

Mr. Burke's Speech at the Guildhall, in Bristol, 1780 . 116

VI.

A Letter to a Peer of Ireland on the Penal Laws against Irish Catholics 182

VII.

PAGE

A Letter to Sir Hercules Langrishe, M.P., 1792 . 206

VIII.

A Letter to the Right Honourable Edmund Pery . 279

IX.

A Letter to Thomas Burgh, Esq. . . . 288

X.

A Letter to John Merlott, Esq. . . . 317

XI.

A Letter to William Smith, Esq. . . . 322

XII.

A Second Letter to Sir Hercules Langrishe . . 334

XIII.

A Letter to Richard Burke, Esq. . . . 343

XIV.

A Letter on the Affairs of Ireland, 1797 . . 373

PRIVATE LETTERS.

	PAGE
A Letter to the Duke of Portland . . .	390
A Letter to the Rev. Dr. Hussey, 1795 . .	394
A Letter to the Same	401
A Letter to Thomas Keogh, Esq. . . .	410
A Letter to the Rev. Dr. Hussey, 1796 . .	416
A Letter to the Right Hon. William Windham .	436
A Letter to Dr. Laurence	438

LETTERS, SPEECHES, AND TRACTS

ON

IRISH AFFAIRS.

I.

TRACTS relative to the LAWS AGAINST POPERY IN IRELAND.[1]

CHAPTER I.

Fragments of a Tract on the Popery Laws.

THE PLAN.

I PROPOSE first to make an introduction, in order to show the propriety of a closer inspection into the affairs of Ireland; and this takes up the first chapter; which is to be spent in this introductory matter, and in stating the Popery Laws in general as one leading cause of the imbecility of the country.

[1] The condition of the Roman Catholics in Ireland appears to have engaged the attention of Mr. Burke at a very early period of his political life. It was probably soon after the year 1765, that he formed

Chap. II. states particularly the laws themselves in a plain and popular manner.

Chap. III. begins the remarks upon them, under the heads of, 1*st*, The object, which is a numerous people; 2*dly*, Their means, a restraint on property; 3*dly*, Their instruments of execution, corrupted morals; which affect the national prosperity.

Chap. IV. The impolicy of those laws as they affect the national security.

Chap. V. Reasons by which the laws are supported, and answers to them.

the plan of a work upon that subject, the fragments of which are now given to the public. No title is prefixed to it in the original manuscript; and the *Plan*, which it has been thought proper to insert here, was evidently designed merely for the convenience of the author. Of the first chapter some unconnected fragments only—too imperfect for publication—have been found. Of the second there is a considerable portion, perhaps nearly the whole; but the copy from which it is printed is evidently a first rough draft. The third chapter, as far as it goes, is taken from a fair corrected copy; but the end of the second part of the first head is left unfinished; and the discussion of the second and third heads was either never entered upon, or the manuscript containing it has unfortunately been lost. What follows the third chapter appears to have been designed for the beginning of the fourth, and is evidently the first rough draft; and to this we have added a fragment which appears to have been a part either of this or the first chapter.

Chapter II.

In order to lay this matter with full satisfaction before the reader, I shall collect into one point of view, and state as shortly and as clearly as I am able, the purport of these laws, according to the objects which they affect, without making at present any further observation upon them, but just what shall be necessary to render the drift and intention of the Legislature, and the tendency and operation of the laws, the more distinct and evident.

I shall begin with those which relate to the possession and inheritance of landed property in Popish hands. The first operation of those Acts upon this object was wholly to change the course of descent by the common law; to take away the right of primogeniture; and, in lieu thereof, to substitute and establish a new species of Statute Gavelkind. By this law, on the death of a Papist possessed of an estate in fee simple, or in fee tail, the land is to be divided by equal portions between all the male children; and those portions are likewise to be parcelled out, share and share alike, amongst the descendants of each son, and so to proceed in a similar distribution *ad infinitum*. From this regulation it was proposed that some important consequences should follow. First—By taking away the right of primogeniture, perhaps in the very first generation, certainly in the second, the families of

Papists, however respectable, and their fortunes, however considerable, would be wholly dissipated, and reduced to obscurity and indigence, without any possibility that they should repair them by their industry or abilities—being, as we shall see anon, disabled from every species of permanent acquisition. Secondly—By this law the right of testamentation was taken away, which the inferior tenures had always enjoyed; and all tenures from the 27th Hen. VIII. Thirdly—The right of settlement was taken away, that no such persons should, from the moment the Act passed, be enabled to advance themselves in fortune or connection by marriage—being disabled from making any disposition in consideration of such marriage but what the law had previously regulated; the reputable establishment of the eldest son, as representative of the family, or to settle a jointure,—being commonly the great object in such settlements,—which was the very power which the law had absolutely taken away.

The operation of this law, however certain, might be too slow. The present possessors might happen to be long lived. The Legislature knew the natural impatience of expectants, and upon this principle they gave encouragement to children to anticipate the inheritance. For it is provided that the eldest son of any Papist shall, immediately on his conformity, change entirely the nature and properties of his father's legal estate; if he before held in fee simple, or, in other words, had the entire and absolute dominion over the

land, he is reduced to an estate for his life only, with all the consequences of the natural debility of that estate; by which he becomes disqualified to sell, mortgage, charge (except for his life), or in any wise to do any act by which he may raise money for relief in his most urgent necessities. The eldest son, so conforming, immediately acquires—and in the life-time of his father—the permanent part,—what our law calls the reversion and inheritance of the estate; and he discharges it by retrospect, and annuls every sort of voluntary settlement made by the father ever so long before his conversion. This he may sell or dispose of immediately, and alienate it from the family for ever.

Having thus reduced his father's estate, he may also bring his father into the Court of Chancery, where he may compel him to swear to the value of his estate; and to allow him out of that possession (which had been before reduced to an estate for life), such an immediate annual allowance as the Lord Chancellor or Lord Keeper shall judge suitable to his age and quality.

This indulgence is not confined to the eldest son. The other children likewise, by conformity, may acquire the same privileges, and in the same manner force from their father an immediate and independent maintenance. It is very well worth remarking, that the statutes have avoided to fix any determinate age for these emancipating conversions; so that the children, at any age—however incapable of choice in other

respects, however immature, or even infantile—are yet considered sufficiently capable to disinherit their parents, and totally to subtract themselves from their direction and control, either at their own option, or by the instigation of others. By this law the tenure and value of a Roman Catholic in his real property is not only rendered extremely limited and altogether precarious, but the paternal power is in all such families so enervated, that it may well be considered as entirely taken away; even the principle upon which it is founded seems to be directly reversed. However, the Legislature feared that enough was not yet done upon this head; the Roman Catholic parent, by selling his real estate, might in some sort preserve the dominion over his substance and his family, and thereby evade the operation of these laws, which intended to take away both. Besides, frequent revolutions and many conversions had so broken the landed property of Papists in that kingdom, that it was apprehended that this law could have in a short time but a few objects upon which it would be capable of operating.

To obviate these inconveniences another law was made, by which the dominion of children over their parents was extended universally throughout the whole Popish part of the nation, and every child of every Popish parent was encouraged to come into what is called a Court of Equity to prefer a Bill against his father, and compel him to confess, upon oath, the quantity and value of his substance, personal as well

as real, of what nature soever, or howsoever it might be employed; upon which discovery the Court is empowered to seize upon and allocate, for the immediate maintenance of such child or children, any sum not exceeding a third of the whole fortune—and as to their future establishment on the death of the father no limits are assigned. The Chancery may, if it thinks fit, take the whole property, personal as well as real, money, stock in trade, etc., out of the power of the possessor, and secure it in any manner they judge expedient for that purpose; for the Act has not assigned any sort of limit with regard to the quantity which is to be charged, or given any direction concerning the means of charging and securing it—a law which supersedes all observation.

But the law is still more extensive in its provision. Because there was a possibility that the parent, though sworn, might by false representations evade the discovery of the ultimate value of his estate, a new Bill may be at any time brought by one, any, or all, of the children for a further discovery; his effects are to undergo a fresh scrutiny, and a new distribution is to be made in consequence of it. So that the parent has no security against perpetual inquietude and the reiteration of Chancery suits, but by (what is somewhat difficult for human nature to comply with) fully, and without reserve, abandoning his whole property to the discretion of the Court to be disposed of in favour of such children.

But is this enough, and has the parent purchased his repose by such a surrender? Very far from it. The law expressly, and very carefully, provides that he shall not; before he can be secure from the persecution of his children, it requires another and a much more extraordinary condition; the children are authorised, if they can find that their parent has by his industry, or otherwise, increased the value of his property since their first Bill, to bring another, compelling a new account of the value of his estate, in order to a new distribution proportioned to the value of the estate at the time of the new Bill preferred. They may bring such Bills, *toties quoties*, upon every improvement of his fortune, without any sort of limitation of time or regard to the frequency of such Bills, or to the quantity of the increase of the estate which shall justify the bringing them. This Act expressly provides that he shall have no respite from the persecution of his children, but by totally abandoning all thoughts of improvement and acquisition.

This is going a great way surely, but the laws in question have gone much farther. Not satisfied with calling upon children to revolt against their parents and to possess themselves of their substance, there are cases where the withdrawing of the child from his father's obedience is not left to the option of the child himself; for if the wife of a Roman Catholic should choose to change her religion, from that moment she deprives her husband of all management and direction

of his children, and even of all the tender satisfaction which a parent can feel in their society, and which is the only indemnification he can have for all his cares and sorrows; and they are to be torn for ever, at the earliest age, from his house and family; for the Lord Chancellor is not only authorised, but he is strongly required, to take away all his children from such Popish parent, to appoint where, in what manner, and by whom, they are to be educated; and the father is compelled to pay not for the ransom but for the deprivation of his children, and to furnish such a sum as the Chancellor thinks proper to appoint for their education to the age of eighteen years. The case is the same if the husband should be the conformist; though how the law is to operate in this case I do not see, for the Act expressly says that the child shall be taken from such Popish parent. And whilst such husband and wife cohabit it will be impossible to put it into execution without taking the child from one as well as from the other, and then the effect of the law will be, that if either husband or wife becomes Protestant, both are to be deprived of their children.

The paternal power thus being wholly abrogated, it is evident that by the last regulation the power of a husband over his wife is also considerably impaired, because, if it be in her power, whenever she pleases, to subtract the children from his protection and obedience, she herself by that hold inevitably acquires a power and superiority over her husband.

But she is not left dependent upon this oblique influence, for if in any marriage settlement the husband has reserved to him a power of making a jointure, and he dies without settling any, her conformity executes his powers, and executes them in as large extent as the Chancellor thinks fit. The husband is deprived of that coercive power over his wife which he had in his hands by the use he might make of the discretionary power reserved in the settlement.

But if no such power had been reserved, and no such settlement existed, yet if the husband dies leaving his conforming wife without a fixed provision by some settlement on his real estate, his wife may apply to Chancery, where she shall be allotted a portion from his leases and other personal estate not exceeding one-third of his whole clear substance. The laws in this instance, as well as in the former, have presumed that the husband has omitted to make all the provision which he might have done, for no other reason than that of her religion. If, therefore, she chooses to balance any domestic misdemeanours to her husband by the public merit of conformity to the Protestant religion, the law will suffer no plea of such misdemeanours to be urged on the husband's part, nor proof of that kind to be entered into. She acquires a provision totally independent of his favour, and deprives him of that source of domestic authority which the common law had left to him—that of rewarding or punishing, by a voluntary distribution of his effects,

what in his opinion was the good or ill behaviour of his wife.

Thus the laws stand with regard to the property already acquired, to its mode of descent, and to family powers. Now as to the new acquisition of real property, and both to the acquisition and security of personal, the law stands thus:—

All persons of that persuasion are disabled from taking or purchasing directly or by a trust, any lands, any mortgage upon land, any rents or profits from land, any lease, interest, or term of any land, any annuity for life or lives, or years, or any estate whatsoever, chargeable upon, or which may in any manner affect, any lands.

One exception, and one only, is admitted by the statutes to the universality of this exclusion, viz. a lease for a term not exceeding thirty-one years. But even this privilege is charged with a prior qualification. This remnant of a right is doubly curtailed; 1st, that on such a short lease, a rent not less than two-thirds of the full improved yearly value, at the time of the making it, shall be reserved during the whole continuance of the term; and 2dly, it does not extend to the whole kingdom. This lease must also be in possession, and not in reversion. If any lease is made, exceeding either in duration or value, and in the smallest degree, the above limits, the whole interest is forfeited, and vested *ipso facto* in the first Protestant discoverer or informer. This discoverer, thus invested with

the property, is enabled to sue for it as his own right. The Courts of Law are not alone open to him; he may (and this is the usual method) enter into either of the Courts of Equity, and call upon the parties, and those whom he suspects to be their trustees, upon oath, and under the penalities of perjury, to discover against themselves the exact nature and value of their estates in every particular, in order to induce their forfeiture on the discovery. In such suits the informer is not liable to those delays which the ordinary procedure of those Courts throws into the way of the justest claimant; nor has the Papist the indulgence which he allows to the most fraudulent defendant—that of plea and demurrer. But the defendant is obliged to answer the whole directly upon oath. The rule of *favores ampliandi*, etc., is reversed by this Act, lest any favour should be shown, or the force and operation of the law in any part of its progress be enervated. All issues to be tried on this Act are to be tried by none but known Protestants.

It is here unnecessary to state as a part of this law what has been for some time generally understood as a certain consequence of it. The Act had expressly provided that a Papist could possess no sort of estate which might affect land (except as before excepted). On this a difficulty did not unnaturally arise. It is generally known, a judgment being obtained or acknowledged for any debt since the Statute of Westm. 2, 13 Ed. I. c. 18, one half of the debtor's land is to

be delivered unto the creditor until the obligation is satisfied, under a writ called *Elegit*, and this writ has been ever since the ordinary assurance of the land, and the great foundation of general credit in the nation. Although the species of holding under this writ is not specified in the Statute, the received opinion, though not juridically delivered, has been, that if they attempt to avail themselves of that security, because it may create an estate, however precarious, in land, their whole debt or charge is forfeited, and becomes the property of the Protestant informer. Thus you observe, first, that by the express words of the law all possibility of acquiring any species of valuable property, in any sort connected with land, is taken away; and secondly, by the construction, all security for money is also cut off. No security is left, except what is merely personal, and which, therefore, most people, who lend money, would, I believe, consider as none at all.

Under this head of the acquisition of property, the law meets them in every road of industry, and in its direct and consequential provisions throws almost all sorts of obstacles in their way. For they are not only excluded from all offices in Church and State, which, though a just and necessary provision, is yet no small restraint in the acquisition; but they are interdicted from the Army and the Law in all its branches. This point is carried to so scrupulous a severity, that chamber practice, and even private conveyancing, the most voluntary agency, are prohibited to them under

the severest penalties, and the most rigid modes of inquisition. They have gone beyond even this; for every barrister, six clerk, attorney, or solicitor, is obliged to take a solemn oath not to employ persons of that persuasion; no, not as hackney clerks, at the miserable salary of seven shillings a week. No tradesman of that persuasion is capable, by any service or settlement, to obtain his freedom in any town corporate; so that they trade and work in their own native towns as aliens, paying, as such, quarterage, and other charges and impositions. They are expressly forbidden, in whatever employment, to take more than two apprentices, except in the linen manufacture only.

In every state, next to the care of the life and properties of the subject, the education of their youth has been a subject of attention. In the Irish Laws this point has not been neglected. Those who are acquainted with the constitution of our Universities, need not be informed that none but those who conform to the Established Church can be at all admitted to study there; and that none can obtain degrees in them who do not previously take all the tests, oaths, and declarations. Lest they should be enabled to supply this defect by private academies and schools of their own, the law has armed itself with all its terrors against such a practice. Popish schoolmasters of every species are proscribed by those Acts, and it is made felony to teach even in a private family; so that Papists are entirely excluded from an education in any

of our authorised establishments for learning at home. In order to shut up every avenue to instruction, the Act of King William in Ireland has added to this restraint by precluding them from all foreign education. This Act is worthy of attention, on account of the singularity of some of its provisions. Being sent for education to any Popish school or college abroad, upon conviction, incurs (if the party sent has any estate of inheritance) a kind of unalterable and perpetual outlawry. The tender and incapable age of such a person, his natural subjection to the will of others, his necessary unavoidable ignorance of the Laws, stands for nothing in his favour. He is disabled to sue in Law or Equity; to be guardian, executor, or administrator; he is rendered incapable of any legacy or deed of gift; he forfeits all his goods and chattels for ever, and he forfeits for his life all his lands, hereditaments, offices, and estate of freehold, and all trusts, powers, or interests therein.

All persons concerned in sending them or maintaining them abroad, by the least assistance of money or otherwise, are involved in the same disabilities, and subjected to the same penalties.

The mode of conviction is as extraordinary as the penal sanctions of this Act. A Justice of Peace, upon information that any child is sent away, may require to be brought before him all persons charged or even suspected of sending or assisting, and examine them and other persons on oath concerning the fact. If on

this examination he finds it *probable*, that the party was sent contrary to this Act, he is then to bind over the parties and witnesses in any sum he thinks fit—but not less than £200—to appear and take their trial at the next Quarter Sessions. Here the Justices are to re-examine evidence, until they arrive, as before, to what shall appear to them a probability. For the rest, they resort to the accused; if they can prove that any person, or any money, or any bill of exchange, has been sent abroad by the party accused, they throw the proof upon him to show for what innocent purposes it was sent; and on failure of such proof he is subjected to all the above-mentioned penalties. Half the forfeiture is given to the Crown; the other half goes to the informer.

It ought here to be remarked, that this mode of conviction not only concludes the party has failed in his expurgatory proof, but it is sufficient also to subject to the penalties and incapacities of the law, the infant upon whose account the person has been so convicted. It must be confessed that the law has not left him without some species of remedy in this case, apparently of much hardship, where one man is convicted upon evidence given against another, if he has the good fortune to live; for, within a twelvemonth after his return, or his age of twenty-one, he has a right to call for a new trial, in which he also is to undertake the negative proof, and to show by sufficient evidence, that he has not been sent abroad against the intention of the Act.

If he succeeds in this difficult exculpation, and demonstrates his innocence to the satisfaction of the Court, he forfeits all his goods and chattels, and all the profits of his lands incurred and received before such acquittal; but he is freed from all other forfeitures, and from all subsequent incapacities. There is also another method allowed by the law in favour of persons under such unfortunate circumstances, as in the former case for their innocence, in this upon account of their expiation;—if within six months after their return, with the punctilious observation of many ceremonies, they conform to the Established Church, and take all the oaths and subscriptions,—the Legislature, in consideration of the incapable age in which they were sent abroad, of the merit of their early conformity, and to encourage conversions, only confiscates, as in the former case, the whole personal estate, and the profits of the real—in all other respects restoring and rehabilitating the party.

So far as to property and education. There remain some other heads upon which the Acts have changed the course of the common law; and first, with regard to the right of self-defence, which consists in the use of arms. This, though one of the rights by the law of nature, yet is so capable of abuses, that it may not be unwise to make some regulations concerning them; and many wise nations have thought proper to set several restrictions on this right, especially temporary ones, with regard to suspected persons, and on occasion of

some imminent danger to the public from foreign invasion or domestic commotions.

But provisions, in time of trouble proper, and perhaps necessary, may become in time of profound peace a scheme of tyranny. The method which the Statute Law of Ireland has taken upon this delicate article, is, to get rid of all difficulties at once by an universal prohibition to all persons, at all times, and under all circumstances, who are not Protestants, of using or keeping any kind of weapons whatsoever. In order to enforce this regulation, the whole spirit of the common law is changed; very severe penalties are enjoined; the largest powers are vested in the lowest magistrates. Any two Justices of Peace, or magistrates of a town, with or without information, at their pleasure, by themselves, or their warrant, are empowered to enter and search the house of any Papist, or even of any other person, whom they suspect to keep such arms in trust for them. The only limitation to the extent of this power is, that the search is to be made between the rising and setting of the sun; but even this qualification extends no farther than to the execution of the Act in the open country; for in all cities and their suburbs, in towns corporate and market towns, they may, at their discretion, and without information, break open houses, and institute such search at any hour of the day or night. This I say they may do at their discretion, and it seems a pretty ample power in the hands of such magistrates. How-

ever, the matter does by no means totally rest on their discretion. Besides the discretionary and occasional search, the statute has prescribed one that is general and periodical. It is to be made annually, by the Warrant of the Justices at their Midsummer Quarter Sessions, by the high and petty constables, or any others whom they may authorise, and by all corporate magistrates, in all houses of Papists, and every other, where they suspect arms for the use of such persons to be concealed, with the same powers, in all respects, which attend the occasional search. The whole of this regulation, concerning both the general and particular search, seems to have been made by a Legislature which was not at all extravagantly jealous of personal liberty. Not trusting, however, to the activity of the magistrate acting officially, the law has invited all voluntary informers by considerable rewards, and even pressed involuntary informers into this service by the dread of heavy penalties. With regard to the latter method, two Justices of Peace, or the magistrate of any corporation, are empowered to summon before them any persons whatsoever, to tender them an oath, by which they oblige them to discover all persons who have any arms concealed contrary to law. Their refusal, or declining to appear, or appearing, their refusal to inform, subjects them to the severest penalties. If peers or peeresses are summoned (for they may be summoned by the bailiff of a corporation of six cottages) to perform this honourable service, and

refuse to inform, the first offence is £300 penalty; the second is *Premunire*—that is to say, imprisonment for life, and forfeiture of all their goods. Persons of an inferior order are, for their first offence, fined £30; for the second, they too are subjected to *Premunire*. So far as to involuntary; now as to voluntary informers. The law entitles them to half the penalty incurred by carrying or keeping arms; for, on conviction of this offence, the penalty upon persons of whatever substance is the sum of £50 and a year's imprisonment, which cannot be remitted even by the Crown.

The only exception to this law is a license from the Lord Lieutenant and Council to carry arms, which, by its nature, is extremely limited, and I do not suppose that there are six persons now in the kingdom who have been fortunate enough to obtain it.

There remains, after this system concerning property and defence, to say something concerning the exèrcise of religion, which is carried on in all persuasions, but especially in the Romish, by persons appointed for that purpose. The law of King William and Queen Anne ordered all Popish parsons exercising ecclesiastical jurisdiction, all orders of monks and friars, and all priests not then actually in parishes, and to be registered, to be banished the kingdom, and if they should return from exile, to be hanged, drawn, and quartered. Twenty pounds reward is given for apprehending them. Penalty on harbouring and concealing.

As all the priests then in being and registered are

long since dead, and as these laws are made perpetual, every Popish priest is liable to the law.

The reader has now before him a tolerably complete view of the Popery Laws relative to property by descent or acquisition, to education, to defence, and to the free exercise of religion, which may be necessary to enable him to form some judgment of the spirit of the whole system, and of the subsequent reflections that are to be made upon it.

CHAPTER III.

PART I.

The system which we have just reviewed, and the manner in which religious influence on the public is made to operate upon the laws concerning property in Ireland, is in its nature very singular, and differs, I apprehend, essentially, and perhaps to its disadvantage, from any scheme of religious persecution now existing in any other country in Europe, or which has prevailed in any time or nation with which history has made us acquainted. I believe it will not be difficult to show that it is unjust, impolitic, and inefficacious; that it has the most unhappy influence on the prosperity, the morals, and the safety of that country; that this influence is not accidental, but has flowed as the necessary and direct consequence of the laws themselves, first on account of the object which they affect, and next by the quality of the greatest part of the instruments

they employ. Upon all these points, first upon the general, and then on the particular, this question will be considered with as much order as can be followed in a matter of itself as involved and intricate as it is important.

The first and most capital consideration with regard to this, as to every object, is the extent of it; and here it is necessary to premise,—this system of penalty and incapacity has for its object no small sect or obscure party, but a very numerous body of men—a body which comprehends at least two-thirds of that whole nation; it amounts to 2,800,000 souls—a number sufficient for the materials constituent of a great people. Now it is well worthy of a serious and dispassionate examination, whether such a system, respecting such an object, be in reality agreeable to any sound principles of legislation, or any authorised definition of law; for if our reasons or practices differ from the general informed sense of mankind, it is very moderate to say that they are at least suspicious.

This consideration of the magnitude of the object ought to attend us through the whole inquiry; if it does not always affect the reason, it is always decisive on the importance of the question. It not only makes in itself a more leading point, but complicates itself with every other part of the matter, giving every error, minute in itself, a character and significance from its application. It is therefore not to be wondered at, if we perpetually recur to it in the course of this Essay.

In the making of a new law it is undoubtedly the duty of the legislator to see that no injustice be done even to an individual; for there is then nothing to be unsettled, and the matter is under his hands to mould it as he pleases; and if he finds it untractable in the working, he may abandon it without incurring any new inconvenience. But in the question concerning the repeal of an old one, the work is of more difficulty, because laws, like houses, lean on one another, and the operation is delicate and should be necessary; the objection in such a case ought not to arise from the natural infirmity of human institutions, but from substantial faults which contradict the nature and end of law itself—faults not arising from the imperfection, but from the misapplication and abuse of our reason. As no legislators can regard the *minima* of equity, a law may in some instances be a just subject of censure, without being at all an object of repeal. But if its transgressions against common right and the ends of just government should be considerable in their nature and spreading in their effects—as this objection goes to the root and principle of the law—it renders it void in its obligatory quality on the mind, and therefore determines it as the proper object of abrogation and repeal so far as regards its civil existence. The objection here is, as we observed, by no means on account of the imperfection of the law. It is on account of its erroneous principle, for if this be fundamentally wrong, the more perfect the law is made the worse it becomes. It can-

not be said to have the properties of genuine law even in its imperfections and defects. The true weakness and opprobrium of our best general constitutions is that they cannot provide beneficially for every particular case, and thus fill adequately to their intentions the circle of universal justice. But where the principle is faulty, the erroneous part of the law is the beneficial; and justice only finds refuge in those holes and corners which had escaped the sagacity and inquisition of the legislator. The happiness or misery of multitudes can never be a thing indifferent. A law against the majority of the people is in substance a law against the people itself; its extent determines its invalidity; it even changes its character as it enlarges its operation; it is not particular injustice, but general oppression, and can no longer be considered as a private hardship which might be borne, but spreads and grows up into the unfortunate importance of a national calamity.

Now, as a law directed against the mass of the nation has not the nature of a reasonable institution, so neither has it the authority; for in all forms of government the people is the true legislator; and whether the immediate and instrumental cause of the law be a single person or many, the remote and efficient cause is the consent of the people—either actual or implied—and such consent is absolutely essential to its validity. To the solid establishment of every law two things are essentially requisite: first, a proper and sufficient human power to declare and modify the matter of the

law; and next, such a fit and equitable constitution as they have a right to declare and render binding. With regard to the first requisite, the human authority, it is their judgment they give up, not their right. The people, indeed, are presumed to consent to whatever the Legislature ordains for their benefit; and they are to acquiesce in it though they do not clearly see into the propriety of the means by which they are conducted to that desirable end. This they owe as an act of homage and just deference to a reason which the necessity of Government has made superior to their own. But though the means, and indeed the nature of a public advantage, may not always be evident to the understanding of the subject, no one is so gross and stupid as not to distinguish between a benefit and an injury. No one can imagine then an exclusion of a great body of men, not from favours, privileges, and trusts, but from the common advantages of society, can ever be a thing intended for their good, or can ever be ratified by any implied consent of theirs. If, therefore, at least an implied human consent is necessary to the existence of a law, such a constitution cannot in propriety be a law at all.

But if we could suppose that such a ratification was made not virtually, but actually by the people not representatively, but even collectively, still it would be null and void. They have no right to make a law prejudicial to the whole community, even though the delinquents in making such an Act should be them-

selves the chief sufferers by it, because it would be made against the principle of a superior law, which it is not in the power of any community, or of the whole race of man, to alter—I mean the will of Him who gave us our nature, and in giving, impressed an invariable law upon it. It would be hard to point out any error more truly subversive of all the order and beauty, of all the peace and happiness of human society, than the position—that any body of men have a right to make what laws they please; or that laws can derive any authority from their institution merely, and independent of the quality of the subject-matter. No arguments of policy, reason of State, or preservation of the constitution, can be pleaded in favour of such a practice. They may indeed impeach the frame of that constitution, but can never touch this immovable principle. This seems to be indeed the doctrine which Hobbes broached in the last century, and which was then so frequently and so ably refuted. Cicero exclaims with the utmost indignation and contempt against such a notion;[1] he considers it not only as unworthy of a philosopher, but of an illiterate peasant; that of all things this was the most truly absurd to fancy—that

[1] Cicero de Legibus, lib. prim. 15 and 16. O rem dignam, in quâ non modo docti, verum etiam agrestes erubescant! Jam vero illud stultissimum existimare omnia justa esse, quæ scita sunt in populorum institutis aut legibus, etc. Quod si populorum jussis, si principum decretis, si sententiis judicum jura constituerentur, jus esset latrocinari, jus adulterare, jus testamenta falsa supponere, si hæc suffragiis aut scitis multitudinis probarentur.

the rule of justice was to be taken from the constitutions of commonwealths, or that laws derived their authority from the statutes of the people, the edicts of princes, or the decrees of judges. If it be admitted that it is not the black letter and the king's arms that makes the law, we are to look for it elsewhere.

In reality there are two, and only two foundations of law, and they are both of them conditions without which nothing can give it any force—I mean equity and utility. With respect to the former, it grows out of the great rule of equality which is grounded upon our common nature, and which Philo, with propriety and beauty, calls the mother of justice. All human laws are, properly speaking, only declaratory; they may alter the mode and application, but have no power over the substance of original justice. The other foundation of law, which is utility, must be understood not of partial or limited, but of general and public utility, connected in the same manner with, and derived directly from our rational nature; for any other utility may be the utility of a robber, but cannot be that of a citizen, —the interest of the domestic enemy, and not that of a member of the commonwealth. This present equality can never be the foundation of statutes, which create an artificial difference between men, as the laws before us do, in order to induce a consequential inequality in the distribution of justice. Law is a mode of human action respecting society, and must be governed by the same rules of equity which govern every private action, and

so Tully considers it in his offices as the only utility agreeable to that nature; *unum debet esse omnibus propositum, ut eadem sit utilitas unius cujusq; et universorum; quam si ad se quisq; rapiat, dissolvetur omnis humana consortio.*

If any proposition can be clear in itself, it is this, that a law which shuts out from all secure and valuable property the bulk of the people, cannot be made for the utility of the party so excluded. This therefore is not the utility which Tully mentions. But if it were true (as it is not) that the real interest of any part of the community could be separated from the happiness of the rest, still it would afford no just foundation for a statute providing exclusively for that interest at the expense of the other; because it would be repugnant to the essence of law, which requires that it be made as much as possible for the benefit of the whole. If this principle be denied or evaded, what ground have we left to reason on? We must at once make a total change in all our ideas, and look for a new definition of law. Where to find it I confess myself at a loss. If we resort to the fountains of jurisprudence, they will not supply us with any that is for our purpose. *Jus* (says Paulus) *pluribus modis dicitur; uno modo, cum id, quod semper æquum et bonum est, Jus dicitur, ut est Jus naturale.* This sense of the word will not be thought, I imagine, very applicable to our penal laws. *Altero modo, quod omnibus aut pluribus in unâquâque civitate utile est, ut est Jus civile.* Perhaps this latter will be as insufficient,

and would rather seem a censure and condemnation of the Popery Acts, than a definition that includes them; and there is no other to be found in the whole digest, neither are there any modern writers whose ideas of law are at all narrower.

It would be far more easy to heap up authorities on this article, than to excuse the prolixity and tediousness of producing any at all in proof of a point which, though too often practically denied, is in its theory almost self-evident. For Suarez, handling this very question, *utrum de ratione et substantiâ Legis esse ut propter commune bonum feratur*, does not hesitate a moment, finding no ground in reason or authority to render the affirmative in the least degree disputable. *In quæstione ergo propositâ* (says he) *nulla est inter authores controversia; sed omnium commune est axioma de substantiâ et ratione Legis esse, ut pro communi bono feratur; ita ut propter illud præcipuè tradatur*, having observed in another place, *contra omnem rectitudinem est bonum commune ad privatum ordinare, seu totum ad partem propter ipsum referre.* Partiality and law are contradictory terms. Neither the merits nor the ill deserts, neither the wealth and importance, nor the indigence and obscurity of the one part or of the other, can make any alteration in this fundamental truth. On any other scheme I defy any man living to settle a correct standard, which may discriminate between equitable rule and the most direct tyranny. For if we can once prevail upon ourselves to depart from the strictness and integrity of this principle,

in favour even of a considerable party, the argument will hold for one that is less so, and thus we shall go on narrowing the bottom of public right, until step by step we arrive, though after no very long or very forced deduction, at what one of our poets calls the *enormous faith*—the faith of the many, created for the advantage of a single person. I cannot see a glimmering of distinction to evade it, nor is it possible to allege any reason for the proscription of so large a part of the kingdom, which would not hold equally to support, under parallel circumstances the proscription of the whole.

I am sensible that these principles in their abstract light will not be very strenuously opposed. Reason is never inconvenient but when it comes to be applied. Mere general truths interfere very little with the passions. They can, until they are roused by a troublesome application, rest in great tranquillity side by side with tempers and proceedings the most directly opposite to them. Men want to be reminded who do not want to be taught, because those original ideas of rectitude, to which the mind is compelled to assent when they are proposed, are not always as present to it as they ought to be. When people are gone, if not into a denial, at least into a sort of oblivion of those ideas, when they know them only as barren speculations, and not as practical motives for conduct, it will be proper to press as well as to offer them to the understanding, and when one is attacked by prejudices which aim to intrude

themselves into the place of law, what is left for us but to vouch and call to warranty those principles of original justice from whence alone our title to everything valuable in society is derived? Can it be thought to arise from a superfluous vain parade of displaying general and uncontroverted maxims, that we should revert at this time to the first principles of law, when we have directly under our consideration a whole body of statutes, which I say are so many contradictions, which their advocates allow to be so many exceptions from those very principles? Take them in the most favourable light, every exception from the original and fixed rule of equality and justice ought surely to be very well authorised in the reason of their deviation, and very rare in their use. For if they should grow to be frequent, in what would they differ from an abrogation of the rule itself? By becoming thus frequent, they might even go farther, and establishing themselves into a principle, convert the rule into the exception. It cannot be dissembled that this is not at all remote from the case before us, where the great body of the people are excluded from all valuable property, where the greatest and most ordinary benefits of society are conferred as privileges, and not enjoyed on the footing of common rights.

The clandestine manner in which those in power carry on such designs is a sufficient argument of the sense they inwardly entertain of the true nature of their proceedings. Seldom is the title or preamble of the law

of the same import with the body and enacting part; but they generally place some other colour uppermost, which differs from that which is afterwards to appear, or at least one that is several shades fainter. Thus the penal laws in question are not called laws to oblige men baptized and educated in Popery to renounce their religion or their property; but are called laws to prevent the growth of Popery; as if their purpose was only to prevent conversions to that sect, and not to persecute a million of people already engaged in it. But of all the instances of this sort of legislative artifice, and of the principles that produced it, I never met with any which made a stronger impression on me than that of Louis XIV. in the revocation of the Edict of Nantes. That monarch had, when he made that revocation, as few measures to keep with public opinion as any man. In the exercise of the most unresisted authority at home, in a career of uninterrupted victory abroad, and in a course of flattery equal to the circumstances of his greatness in both these particulars, he might be supposed to have as little need as disposition to render any sort of account to the world of his procedure towards his subjects. But the persecution of so vast a body of men as the Huguenots was too strong a measure even for the law of pride and power. It was too glaring a contradiction even to those principles upon which persecution itself is supported. Shocked at the naked attempt, he had recourse, for a palliation of his conduct, to an unkingly denial of the fact, which made against him.

In the preamble, therefore, to his Act of Revocation he sets forth that the Edict of Nantes was no longer necessary, as the object of it (the Protestants of his kingdom) were then reduced to a very small number. The refugees in Holland cried out against this misrepresentation. They asserted, I believe with truth, that this revocation had driven 20,000 of them out of their country; and that they could readily demonstrate there still remained 600,000 Protestants in France. If this were the fact (as it was undoubtedly), no argument of policy could have been strong enough to excuse a measure by which 800,000 men were despoiled, at one stroke, of so many of their rights and privileges. Louis XIV. confessed by this sort of apology, that if the number had been large, the revocation had been unjust. But after all, is it not most evident that this act of injustice, which let loose on that monarch such a torrent of invective and reproach, and which threw so dark a cloud over all the splendour of a most illustrious reign, falls far short of the case in Ireland? The privileges which the Protestants of that kingdom enjoyed antecedent to this revocation were far greater than the Roman Catholics of Ireland ever aspired to under a contrary establishment. The number of their sufferers, if considered absolutely, is not half of ours; if considered relatively to the body of each community, it is not perhaps a twentieth part. And then the penalties and incapacities which grew from that revocation are not so grievous in their nature, nor so certain in their execution, nor so ruinous by a

great deal to the civil prosperity of the State, as those which we have established for a perpetual law in our unhappy country. It cannot be thought to arise from affectation, that I call it so. What other name can be given to a country which contains so many hundred thousands of human creatures reduced to a state of the most abject servitude?

In putting this parallel I take it for granted that we can stand for this short time very clear of our party distinctions. If it were enough by the use of an odious and unpopular word to determine the question, it would be no longer a subject of rational disquisition; since that very prejudice, which gives these odious names, and which is the party charged for doing so, and for the consequences of it, would then become the judge also. But I flatter myself that not a few will be found who do not think that the names of Protestant and Papist can make any change in the nature of essential justice. Such men will not allow that to be proper treatment to the one of these denominations, which would be cruelty to the other; and which converts its very crime into the instrument of its defence. They will hardly persuade themselves that what was bad policy in France can be good in Ireland, or that what was intolerable injustice in an arbitrary monarch becomes, only by being more extended and more violent, an equitable procedure in a country professing to be governed by law. It is, however, impossible not to observe with some concern that there are many also of a different disposition—a number

of persons whose minds are so formed that they find the communion of religion to be a close and an endearing tie, and their country to be no bond at all; to whom common altars are a better relation than common habitations, and a common civil interest; whose hearts are touched with the distresses of foreigners, and are abundantly awake to all the tenderness of human feeling on such an occasion, even at the moment that they are inflicting the very same distresses, or worse, on their fellow-citizens, without the least sting of compassion or remorse. To commiserate the distresses of all men suffering innocently, perhaps meritoriously, is generous, and very agreeable to the better part of our nature—a disposition that ought by all means to be cherished. But to transfer humanity from its natural basis—our legitimate and homebred connections; to lose all feeling for those who have grown up by our sides, in our eyes, the benefit of whose cares and labours we have partaken from our birth, and meretriciously to hunt abroad after foreign affections, is such a disarrangement of the whole system of our duties, that I do not know whether benevolence so displaced is not almost the same thing as destroyed, or what effect bigotry could have produced that is more fatal to society. This no one could help observing, who has seen our doors kindly and bountifully thrown open to foreign sufferers for conscience, whilst through the same ports were issuing fugitives of our own, driven from their country for a cause which to an indifferent person would seem

to be exactly similar, whilst we stood by, without any sense of the impropriety of this extraordinary scene, accusing, and practising injustice. For my part, there is no circumstance in all the contradictions of our most mysterious nature, that appears to be more humiliating than the use we are disposed to make of those sad examples which seem purposely marked for our correction and improvement. Every instance of fury and bigotry in other men, one should think, would naturally fill us with horror of that disposition. The effect, however, is directly contrary. We are inspired, it is true, with a very sufficient hatred for the party, but with no detestation at all of the proceeding. Nay, we are apt to urge our dislike of such measures, as a reason for imitating them; and, by an almost incredible absurdity, because some powers have destroyed their country by their persecuting spirit, to argue, that we ought to retaliate on them by destroying our own. Such are the effects, and such I fear has been the intention of those numberless books which are daily printed and industriously spread, of the persecutions in other countries and other religious persuasions. These observations, which are a digression, but hardly, I think, can be considered as a departure from the subject, have detained us some time; we will now come more directly to our purpose.

It has been shown, I hope with sufficient evidence, that a Constitution against the interest of the many is rather of the nature of a grievance than of a law;

that of all grievances, it is the most weighty and important; that it is made without due authority, against all the acknowledged principles of jurisprudence, against the opinions of all the great lights in that science; and that such is the tacit sense even of those who act in the most contrary manner. These points are indeed so evident, that I apprehend the abettors of the penal system will ground their defence on admission, and not on a denial of them. They will lay it down as a principle, that the Protestant religion is a thing beneficial for the whole community, as well in its civil interests as in those of a superior order. From thence they will argue, that the end being essentially beneficial, the means become instrumentally so; that these penalties and incapacities are not final causes of the Law, but only a discipline to bring over a deluded people to their real interest; and therefore, though they may be harsh in their operation, they will be pleasant in their effects; and be they what they will, they cannot be considered as a very extraordinary hardship, as it is in the power of the sufferer to free himself when he pleases; and that only by converting to a better religion, which it is his duty to embrace, even though it were attended with all those penalties from whence in reality it delivers him: if he suffers, it is his own fault; *volenti non fit injuria.*

I shall be very short without being, I think, the less satisfactory in my answer to these topics, because they never can be urged from a conviction of their validity,

and are indeed only the usual and impotent struggles of those who are unwilling to abandon a practice which they are unable to defend. First then, I observe that if the principle of their final and beneficial intention be admitted as a just ground for such proceedings, there never was, in the blameable sense of the word, nor ever can be, such a thing as a religious persecution in the world. Such an intention is pretended by all men, who all not only insist that their religion has the sanction of Heaven, but is likewise, and for that reason, the best and most convenient to human society. All religious persecution, Mr. Bayle well observes, is grounded upon a miserable *petitio principii*. You are wrong, I am right; you must come over to me, or you must suffer. Let me add that the great inlet by which a colour for oppression has entered into the world, is by one man's pretending to determine concerning the happiness of another, and by claiming a right to use what means he thinks proper in order to bring him to a sense of it. It is the ordinary and trite sophism of oppression. But there is not yet such a convenient ductility in the human understanding as to make us capable of being persuaded that men can possibly mean the ultimate good of the whole society by rendering miserable for a century together the greater part of it, or that any one has such a reversionary benevolence as seriously to intend the remote good of a late posterity who can give up the present enjoyment which every honest man must have in the happiness of his contemporaries. Everybody is

satisfied that a conservation and secure enjoyment of our natural rights is the great and ultimate purpose of civil society, and that therefore all forms whatsoever of Government are only good as they are subservient to that purpose to which they are entirely subordinate. Now, to aim at the establishment of any form of Government by sacrificing what is the substance of it, to take away, or at least to suspend the rights of nature in order to an approved system for the protection of them, and for the sake of that about which men must dispute for ever—to postpone those things about which they have no controversy at all, and this not in minute and subordinate, but large and principal objects—is a procedure as preposterous and absurd in argument as it is oppressive and cruel in its effect. For the Protestant religion, nor (I speak it with reverence, I am sure) the truth of our common Christianity, is not so clear as this proposition, that all men—at least the majority of men in the society—ought to enjoy the common advantages of it. You fall, therefore, into a double error; first, you incur a certain mischief for an advantage which is comparatively problematical, even though you were sure of obtaining it; secondly, whatever the proposed advantage may be, were it of a certain nature, the attainment of it is by no means certain, and such deep gaming for stakes so valuable ought not to be admitted; the risk is of too much consequence to society. If no other country furnished examples of this risk, yet our laws and our country are enough fully to demonstrate the

fact; Ireland, after almost a century of persecution, is at this hour full of penalties and full of Papists. This is a point which would lead us a great way, but it is only just touched here, having much to say upon it in its proper place. So that you have incurred a certain and an immediate inconvenience for a remote and for a doubly uncertain benefit. Thus far, as to the argument which would sanctify the injustice of these laws by the benefits which are proposed to arise from them, and as to that liberty which, by a new political chemistry, was to be extracted out of a system of oppression.

Now, as to the other point, that the objects of these laws suffer voluntarily, this seems to me to be an insult rather than an argument. For, besides that it totally annihilates every characteristic, and therefore every faulty idea of persecution, just as the former does, it supposes, what is fault in fact, that it is in a man's moral power to change his religion whenever his convenience requires it. If he be beforehand satisfied that your opinion is better than his, he will voluntarily come over to you, and without compulsion, and then your law would be unnecessary; but if he is not so convinced, he must know that it is his duty in this point to sacrifice his interest here to his opinion of his eternal happiness, else he could have in reality no religion at all. In the former case, therefore, as your law would be unnecessary, in the latter it would be persecuting—that is, it would put your penalty and his ideas of duty in the opposite scales, which is, or I know not

what is, the precise idea of persecution. If, then, you require a renunciation of his conscience as a preliminary to his admission to the rights of society, you annex, morally speaking, an impossible condition to it. In this case, in the language of reason and jurisprudence, the condition would be void and the gift absolute; as the practice runs, it is to establish the condition, and to withhold the benefit. The suffering is then not voluntary. And I never heard any other argument drawn from the nature of laws and the good of human society, urged in favour of those proscriptive statutes except those which have just been mentioned.

CHAPTER III.

PART II.

THE second head upon which I propose to consider those statutes with regard to their object, and which is the next in importance to the magnitude, and of almost equal concern in the inquiry into the justice of these laws, is its possession. It is proper to recollect that this religion, which is so persecuted in its members, is the old religion of the country and the once established religion of the State—the very same which had for centuries received the countenance and sanction of the laws, and from which it would at one time have been highly penal to have dissented. In proportion as mankind has become enlightened, the idea of religious

persecution, under any circumstances, has been almost universally exploded by all good and thinking men. The only faint shadow of difficulty which remains is concerning the introduction of new opinions. Experience has shown that, if it has been favourable to the cause of truth, it has not been always conducive to the peace of society. Though a new religious sect should even be totally free in itself from any tumultuous and disorderly zeal, which, however, is rarely the case, it has a tendency to create a resistance from the establishment in possession productive of great disorders, and thus becomes, innocently indeed, but yet very certainly, the cause of the bitterest dissensions in the commonwealth. To a mind not thoroughly saturated with the tolerating maxims of the gospel, a preventive persecution on such principles might come recommended by strong and apparently no immoral motives of policy, whilst yet the contagion was recent, and had laid hold but on a few persons. The truth is, these politics are rotten and hollow at bottom, as all that are founded upon any, however minute a degree of positive injustice, must ever be. But they are specious, and sufficiently so to delude a man of sense and of integrity. But it is quite otherwise with the attempt to eradicate by violence a wide-spreading and established religious opinion. If the people are in an error, to inform them is not only fair but charitable; to drive them is a strain of the most manifest injustice. If not the right, the presumption at least is ever on the side of possession. Are they mis-

taken? If it does not fully justify them, it is a great alleviation of guilt, which may be mingled with their misfortune, that the error is none of their forging; that they received it on as good a footing as they can receive your laws and your legislative authority, because it was handed down to them from their ancestors. The opinion may be erroneous, but the principle is undoubtedly right, and you punish them for acting upon a principle which, of all others, is perhaps the most necessary for preserving society—an implicit admiration and adherence to the establishments of their forefathers.

If, indeed, the legislative authority was on all hands admitted to be the ground of religious persuasion, I should readily allow that dissent would be rebellion. In this case it would make no difference whether the opinion was sucked in with the milk, or imbibed yesterday, because the same legislative authority which had settled could destroy it with all the power of a Creator over his creature. But this doctrine is universally disowned, and for a very plain reason. Religion, to have any force on men's understandings,—indeed, to exist at all,—must be supposed paramount to laws, and independent for its substance upon any human institution. Else it would be the absurdest thing in the world, an acknowledged cheat. Religion, therefore, is not believed because the laws have established it, but it is established because the leading part of the community have previously believed it to be true. As no water can rise higher than its spring, no establishment can have more

authority than it derives from its principle, and the power of the Government can with no appearance of reason go further coercively than to bind and hold down those who have once consented to their opinions. The consent is the origin of the whole. If they attempt to proceed farther they disown the foundation upon which their own establishment was built, and they claim a religious assent upon mere human authority, which has been just now shown to be absurd and preposterous, and which they in fact confess to be so.

However, we are warranted to go thus far. The people often actually do (and perhaps they cannot in general do better) take their religion, not on the coercive, which is impossible, but on the influencing authority of their governors as wise and informed men. But if they once take a religion on the word of the State, they cannot in common sense do so a second time, unless they have some concurrent reason for it. The prejudice in favour of your wisdom is shaken by your change. You confess that you have been wrong, and yet you would pretend to dictate by your sole authority, whereas you disengage the mind by embarrassing it. For why should I prefer your opinion of to-day to your persuasion of yesterday? If we must resort to prepossessions for the ground of opinion, it is in the nature of man rather to defer to the wisdom of times passed, whose weakness is not before his eyes, than to the present, of whose imbecility he has daily experience. Veneration of antiquity is congenial to the human mind. When,

therefore, an establishment would persecute an opinion in possession, it sets against it all the powerful prejudices of human nature. It even sets its own authority, when it is of most weight, against itself in that very circumstance in which it must necessarily have the least, and it opposes the stable prejudice of time against a new opinion founded on mutability—a consideration that must render compulsion in such a case the more grievous, as there is no security that, when the mind is settled in the new opinion, it may not be obliged to give place to one that is still newer, or even to a return of the old. But when an ancient establishment begins early to persecute an innovation, it stands upon quite other grounds, and it has all the prejudices and presumptions on its side. It puts its own authority, not only of compulsion, but prepossession, the veneration of past age, as well as the activity of the present time, against the opinion only of a private man or set of men. If there be no reason, there is at least some consistency in its proceedings. Commanding to constancy, it does nothing but that of which it sets an example itself. But an opinion at once new and persecuting is a monster, because in the very instant in which it takes a liberty of change, it does not leave to you even a liberty of perseverance.

Is then no improvement to be brought into society? Undoubtedly, but not by compulsion; but by encouragement; but by countenance, favour, privileges—which are powerful and are lawful instruments. The coercive authority of the State is limited to what is necessary

for its existence. To this belongs the whole order of Criminal Law. It considers as crimes (that is, the object of punishment) trespasses against those rules for which society was instituted. The law punishes delinquents—not because they are not good men, but because they are intolerably wicked. It does bear, and must, with the vices and the follies of men until they actually strike at the root of order. This it does in things actually moral. In all matters of speculative improvement the case is stronger, even where the matter is properly of human cognisance. But to consider an averseness to improvement—the not arriving at perfection—as a crime, is against all tolerably correct jurisprudence; for if the resistance to improvement should be great and any way general, they would in effect give up the necessary and substantial part in favour of the perfection and the finishing.

But, say the abettors of our penal laws, this old possessed superstition is such in its principles that society, on its general principles, cannot subsist along with it. Could a man think such an objection possible if he had not actually heard it made?—an objection contradicted not by hypothetical reasonings, but the clear evidence of the most decisive facts. Society not only exists but flourishes at this hour, with this superstition, in many countries, under every form of Government—in some established, in some tolerated, in others upon an equal footing. And was there no civil society at all in these kingdoms before the Reformation? To

say it was not as well constituted as it ought to be is saying nothing at all to the purpose; for that assertion evidently regards improvement, not existence. It certainly did then exist, and it as certainly then was at least as much to the advantage of a very great part of society as what we have brought in the place of it—which is indeed a great blessing to those who have profited by the change; but to all the rest as we have wrought—that is by blending general persecution with partial reformation—it is the very reverse. We found the people heretics and idolaters; we have, by way of improving their condition, rendered them slaves and beggars. They remain in all the misfortune of their old errors, and all the superadded misery of their recent punishment. They were happy enough—in their opinion at least—before the change. What benefits society then had, they partook of them all. They are now excluded from those benefits, and so far as civil society comprehends them, and as we have managed the matter, our persecutions are so far from being necessary to its existence, that our very Reformation is made in a degree noxious. If this be improvement, truly I know not what can be called a depravation of society.

But as those who argue in this manner are perpetually shifting the question, having begun with objecting—in order to give a fair and public colour to their scheme—to a toleration of those opinions as subversive of society in general, they will surely end by abandoning the

broad part of the argument, and attempting to show that a toleration of them is inconsistent with the established Government among us. Now, though this position be in reality as untenable as the other, it is not altogether such an absurdity on the face of it. All I shall here observe is, that those who lay it down little consider what a wound they are giving to that Establishment for which they pretend so much zeal. However, as this is a consideration not of general justice but of particular and national policy, and as I have reserved a place expressly where it will undergo a thorough discussion, I shall not here embarrass myself with it, being resolved to preserve all the order in my power in the examination of this important melancholy subject.

However, before we pass from this point concerning possession, it will be a relaxation of the mind not wholly foreign to our purpose to take a short review of the extraordinary policy which has been held with regard to religion in that kingdom, from the time our ancestors took possession of it. The most able antiquaries are of opinion, and Archbishop Usher (whom I reckon amongst the first of them) has, I think, shown that a religion, not very remote from the present Protestant persuasion, was that of the Irish before the union of that kingdom to the Crown of England. If this was not directly the fact, this at least seems very probable, that Papal authority was much lower in Ireland than in other countries. This union was made under the

authority of an arbitrary grant of Pope Adrian, in order that the Church of Ireland should be reduced to the same servitude with those that were nearer to his See. It is not very wonderful that an ambitious monarch should make use of any pretence in his way to so considerable an object. What is extraordinary is, that for a very long time—even quite down to the Reformation—and in their most solemn acts, the kings of England founded their title wholly on this grant. They called for obedience from the people of Ireland, not on principles of subjection, but as vassals and mean lords between them and the Popes; and they omitted no measure of force or policy to establish that papal authority with all the distinguishing articles of religion connected with it, and to make it take deep root in the minds of the people. Not to crowd instances unnecessarily, I shall select two; one of which is in print, the other on record; the one a Treaty, the other an Act of Parliament. The first is the submission of the Irish chiefs to Richard II., mentioned by Sir John Davis. In this pact they bind themselves for the future to preserve peace and allegiance to the kings of England, under certain pecuniary penalties. But what is remarkable, these fines were all covenanted to be paid into the Apostolical Chamber, supposing the Pope as the superior power, whose peace was broken and whose majesty was violated in disobeying his governor. By this time, so far as regarded England, the kings had extremely abridged the papal power in many material

particulars; they had passed the Statute of Provisors; the Statute of Premunire; and indeed struck out of the Papal authority all things at least, that seemed to infringe on their temporal independence. In Ireland, however, their proceeding was directly the reverse: there they thought it expedient to exalt it at least as high as ever. For, so late as the reign of Edward IV., the following short but very explicit Act of Parliament was passed:—

IV. Ed. Cap. 3.

An Act, whereby letters patent of pardon from the king to those that sue to Rome for certain benefices is void. Rot. Parl.

Item, At the request of the Commons it is ordeyned and established, by authority of the said Parliament, that all maner letters patents of the king, of pardons or pardon granted by the king, or hereafter to be granted to any provisor, that claim any title by the bulls of the Pope to any maner benefices, where at the time of the impetrating of the said bulls of provision, the benefice is full of an incumbent, that then the said letters patents of pardon or pardons be void in law and of none effect.

. . . . . .

When by every expedient of force and policy, by a

war of some centuries, by extirpating a number of the old, and by bringing in a number of new people full of those opinions, and intending to propagate them, they had fully compassed their object, they suddenly took another turn; commenced an opposite persecution, made heavy laws, carried on mighty wars, inflicted and suffered the worst evils, extirpated the mass of the old, brought in new inhabitants; and they continue at this day an oppressive system, and may for four hundred years to come, to eradicate opinions which, by the same violent means they had been four hundred years endeavouring by every means to establish. They compelled the people to submit, by the forfeiture of all their civil rights, to the Pope's authority, in its most extravagant and unbounded sense, as a giver of kingdoms; and now they refuse even to tolerate them in the most moderate and chastised sentiments concerning it. No country, I believe, since the world began, has suffered so much on account of religion; or has been so variously harassed both for Popery and for Protestantism.

It will now be seen, that, even if these laws could be supposed agreeable to those of Nature in these particulars, on another and almost as strong a principle they are yet unjust, as being contrary to positive compact, and the public faith most solemnly plighted. On the surrender of Limerick, and some other Irish garrisons, in the war of the Revolution, the Lords Justices of Ireland, and the commander-in-chief of the king's

forces, signed a capitulation with the Irish, which was afterwards ratified by the king himself, by *Inspeximus* under the great seal of England. It contains some public articles relative to the whole body of the Roman Catholics in that kingdom, and some with regard to the security of the greater part of the inhabitants of five counties. What the latter were, or in what manner they were observed, is at this day of much less public concern. The former are two, the 1st and the 9th. The first is of this tenour. The Roman Catholics of this kingdom (Ireland) shall enjoy such privileges, in the exercise of their religion, as are consistent with the laws of Ireland, or as they did enjoy in the reign of King Charles II.; and their Majesties, as soon as their affairs will permit them to summon a Parliament in this kingdom, will endeavour to procure the said Roman Catholics such further security in that particular as may preserve them from any disturbance on account of their religion. The ninth article is to this effect. The oath to be administered to such Roman Catholics as submit to their Majesties' Government, shall be the oath aforesaid, and no other; viz. the oath of allegiance, made by Act of Parliament in England, in the first year of their then Majesties; as required by the second of the articles of Limerick. Compare this latter article with the penal laws, as they are stated in the second chapter, and judge whether they seem to be the public Acts of the same power, and observe whether other oaths are tendered to them, and under what penalties. Compare

the former with the same laws, from the beginning to the end ; and judge whether the Roman Catholics have been preserved, agreeably to the sense of the article, from any disturbance upon account of their religion ; or rather, whether on that account there is a single right of nature, or benefit of society, which has not been either totally taken away or considerably impaired.

But it is said that the Legislature was not bound by this article, as it has never been ratified in Parliament. I do admit that it never had that sanction, and that the Parliament was under no obligation to ratify these articles by any express Act of theirs. But still I am at a loss how they came to be the less valid, on the principles of our constitution, by being without that sanction. They certainly bound the king and his successors. The words of the article do this ; or they do nothing ; and so far as the Crown had a share in passing those Acts, the public faith was unquestionably broken. In Ireland such a breach on the part of the Crown was much more unpardonable in administration, than it would have been here. They have in Ireland a way of preventing any Bill even from approaching the Royal Presence, in matters of far less importance than the honour and faith of the Crown, and the well-being of a great body of the people. For, besides that they might have opposed the very first suggestion of it in the House of Commons, it could not be framed into a Bill without the approbation of the

Council in Ireland. It could not be returned to them again without the approbation of the King and Council here. They might have met it again in its second passage through that House of Parliament, in which it was originally suggested, as well as in the other. If it had escaped them through all these mazes, it was again to come before the Lord Lieutenant, who might have sunk it by a refusal of the royal assent. The constitution of Ireland has interposed all those checks to the passing of any constitutional Act, however insignificant in its own nature. But did the Administration in that reign avail themselves of any one of those opportunities? They never gave the Act of the 11th of Queen Anne the least degree of opposition in any one stage of its progress. What is rather the fact, many of the Queen's servants encouraged it, recommended it, were, in reality, the true authors of its passing in Parliament, instead of recommending and using their utmost endeavour to establish a law directly opposite in its tendency, as they were bound to do by the express letter of the very first article of the Treaty of Limerick. To say nothing further of the Ministry, who in this instance most shamefully betrayed the faith of Government, may it not be a matter of some degree of doubt, whether the Parliament, who do not claim a right of dissolving the force of moral obligation, did not make themselves a party in this breach of contract, by presenting a Bill to the Crown in direct violation of those Articles so solemnly and so recently

executed, which by the constitution they had full authority to execute?

It may be further objected that, when the Irish requested the ratification of Parliament to those articles, they did, in effect, themselves entertain a doubt concerning their validity without such a ratification. To this I answer, that the collateral security was meant to bind the Crown, and to hold it firm to its engagements. They did not, therefore, call it a *perfecting* of the security, but an *additional* security, which it could not have been, if the first had been void; for the Parliament could not bind itself more than the Crown had bound itself. And if all had made but *one* security, neither of them could be called *additional* with propriety or common sense. But let us suppose that they did apprehend there might have been something wanting in this security without the sanction of Parliament. They were, however, evidently mistaken; and this surplusage of theirs did not weaken the validity of the single contract, upon the known principle of law, *Non solent, quæ abundant, vitiare scripturas.* For nothing is more evident than that the Crown was bound, and that no Act can be made without the royal assent. But the constitution will warrant us in going a great deal farther, and in affirming that a treaty executed by the Crown, and contradictory of no preceding law, is full as binding on the whole body of the nation as if it had twenty times received the sanction of Parliament; because the very same constitution, which has

given to the Houses of Parliament their definite authority, has also left in the Crown the trust of making peace, as a consequence, and much the best consequence, of the prerogative of making war. If the peace was ill made, my Lord Galway, Coningsby, and Porter, who signed it, were responsible; because they were subject to the community. But its own contracts are not subject to it. It is subject to them; and the compact of the king acting constitutionally was the compact of the nation.

Observe what monstrous consequences would result from a contrary position. A foreign enemy has entered, or a strong domestic one has arisen in the nation. In such events the circumstances may be, and often have been, such that a Parliament cannot sit. This was precisely the case in that rebellion in Ireland. It will be admitted also that their power may be so great as to make it very prudent to treat with them, in order to save effusion of blood, perhaps to save the nation. Now, could such a treaty be at all made if your enemies, or rebels, were fully persuaded that, in these times of confusion, there was no authority in the State which could hold out to them an inviolable pledge for their future security; but that there lurked in the constitution a dormant but irresistible power, who would not think itself bound by the ordinary subsisting and contracting authority, but might rescind its acts and obligations at pleasure? This would be a doctrine made to perpetuate and exasperate war; and on that

principle it directly impugns the law of nations, which is built upon this principle, that war should be softened as much as possible, and that it should cease as soon as possible between contending parties and communities. The king has a power to pardon individuals. If the king holds out his faith to a robber to come in on a promise of pardon, of life and estate, and, in all respects, of a full indemnity, shall the Parliament say that he must, nevertheless, be executed, that his estate must be forfeited, or that he shall be abridged of any of the privileges which he before held as a subject? Nobody will affirm it. In such a case the breach of faith would not only be on the part of the king, who assented to such an act, but on the part of the Parliament, who made it. As the king represents the whole contracting capacity of the nation, so far as his prerogative (unlimited, as I said before, by any precedent law) can extend, he acts as the national procurator on all such occasions. What is true of a robber is true of a rebel; and what is true of one robber or rebel is as true—and it is a much more important truth—of one hundred thousand.

To urge this part of the argument farther is indeed, I fear, not necessary, for two reasons. First, that it seems tolerably evident in itself; and next, that there is but too much ground to apprehend that the actual ratification of Parliament would, in the then temper of parties, have proved but a very slight and trivial security. Of this there is a very strong example in

the history of those very articles. For, though the Parliament omitted in the reign of King William to ratify the first and most general of them, they did actually confirm the second and more limited—that which related to the security of the inhabitants of those five counties which were in arms when the treaty was made.

Chapter IV.

In the foregoing book we considered these laws in a very simple point of view, and in a very general one—merely as a system of hardship imposed on the body of the community; and from thence and from some other arguments inferred the general injustice of such a procedure. In this we shall be obliged to be more minute; and the matter will become more complex as we undertake to demonstrate the mischievous and impolitic consequences, which the particular mode of this oppressive system, and the instruments which it employs, operating, as we said, on this extensive object, produce on the national prosperity, quiet, and security.

The stock of materials by which any nation is rendered flourishing and prosperous, are its industry, its knowledge or skill, its morals, its execution of justice, its courage, and the national union in directing these powers to one point, and making them all centre in the public benefit. Other than these I do

not know, and scarcely can conceive any means by which a community may flourish.

If we show that these penal laws of Ireland destroy not one only, but every one of these materials of public prosperity, it will not be difficult to perceive that Great Britain, whilst they subsist, never can draw from that country all the advantages to which the bounty of nature has entitled it.

To begin with the first great instrument of national happiness and strength—its industry—I must observe that although these penal laws do indeed inflict many hardships on those who are obnoxious to them, yet their chief, their most extensive and most certain operation is upon property. Those civil constitutions which promote industry are such as facilitate the acquisition, secure the holding, enable the fixing, and suffer the alienation of property. Every law which obstructs it in any part of its distribution is, in proportion to the force and extent of the obstruction, a discouragement to industry. For a law against property is a law against industry, the latter having always the former, and nothing else, for its object. Now as to the acquisition of landed property, which is the foundation and support of all the other kinds, the laws have disabled three-fourths of the inhabitants of Ireland from acquiring any estate of inheritance for life or years, or any charge whatsoever, on which two-thirds of the improved yearly value are not reserved for thirty years.

This confinement of landed property to one set of hands, and preventing its free circulation through the community, is a most leading article of ill policy, because it is one of the most capital discouragements to all that industry which may be employed on the lasting improvement of the soil, or is any way conversant about land. A tenure of thirty years is evidently no tenure upon which to build, to plant, to raise enclosures, to change the nature of the ground, to make any new experiment which might improve agriculture, or to do anything more than what may answer the immediate and momentary calls of rent to the landlord, and leave subsistence to the tenant and his family. The desire of acquisition is always a passion of long views. Confine a man to momentary possession, and you at once cut off that laudable avarice which every wise State has cherished as one of the first principles of its greatness. Allow a man but a temporary possession, lay it down as a maxim that he never can have any other, and you immediately and infallibly turn him to temporary enjoyments; and these enjoyments are never the pleasures of labour and free industry, whose quality it is to famish the present hours, and squander all upon prospect and futurity; they are, on the contrary, those of a thoughtless, loitering, and dissipated life. The people must be inevitably disposed to such pernicious habits merely from the short duration of their tenure which the law has

allowed. But it is not enough that industry is checked by the confinement of its views; it is further discouraged by the limitation of its own direct object—profit. This is a regulation extremely worthy of our attention, as it is not a consequential, but a direct discouragement to melioration, as directly as if the law had said in express terms, "Thou shalt not improve."

But we have an additional argument to demonstrate the ill policy of denying the occupiers of land any solid property in it. Ireland is a country wholly unplanted. The farms have neither dwelling-houses nor good offices, nor are the lands almost anywhere provided with fences and communications; in a word, in a very unimproved state. The land-owner there never takes upon him, as it is usual in this kingdom, to supply all these conveniences, and to set down his tenant in what may be called a completely furnished farm. If the tenant will not do it, it is never done. This circumstance shows how miserably and peculiarly impolitic it has been in Ireland to tie down the body of the tenantry to short and unprofitable tenures. A finished and furnished house will be taken for any term, however short; if the repair lies on the owner, the shorter the better. But no one will take one not only unfurnished but half built, but upon a term which, on calculation, will answer with profit all his charges. It is on this principle that the Romans established their *Emphyteusis*, or fee-farm. For though they extended

the ordinary term of their location only to nine years, yet they encouraged a more permanent letting to farm, with the condition of improvement, as well as of annual payment, on the part of the tenant, where the land had lain rough and neglected; and therefore invented this species of engrafted holding in the later times, when property came to be worse distributed by falling into a few hands. This denial of landed property to the gross of the people has this further evil effect in preventing the improvement of land; that it prevents any of the property acquired in trade to be re-gorged as it were upon the land. They must have observed very little who have not remarked the bold and liberal spirit of improvement which persons bred to trade have often exerted on their land-purchases; that they usually come to them with a more abundant command of ready money than most landed men possess; and that they have in general a much better idea, by long habits of calculative dealings, of the propriety of expending in order to acquire. Besides, such men often bring their spirit of commerce into their estates with them, and make manufactures take a root where the mere landed gentry had perhaps no capital, perhaps no inclination, and most frequently not sufficient knowledge to effect anything of the kind. By these means what beautiful and useful spots have there not been made about trading and manufacturing towns, and how has agriculture had reason to bless that happy alliance with commerce; and how miser-

able must that nation be whose frame of polity has disjointed the landing and the trading interests!

. . . . . .

The great prop of this whole system is not pretended to be its justice or its utility, but the supposed danger to the State, which gave rise to it originally, and which, they apprehend, would return if this system were overturned. Whilst, say they, the Papists of this kingdom were possessed of landed property, and of the influence consequent to such property, their allegiance to the Crown of Great Britain was ever insecure; the public peace was ever liable to be broken; and Protestants never could be a moment secure either of their properties or of their lives. Indulgence only made them arrogant, and power daring; confidence only excited and enabled them to exert their inherent treachery; and the times which they generally selected for their most wicked and desperate rebellions were those in which they enjoyed the greatest ease and the most perfect tranquillity.

Such are the arguments that are used both publicly and privately in every discussion upon this point. They are generally full of passion and of error, and built upon facts which, in themselves, are most false. It cannot, I confess, be denied that those miserable performances which go about under the names of Histories of Ireland, do indeed represent those events after this manner; and they would persuade us, contrary to the known order of Nature, that indulgence

and moderation in governors is the natural incitement in subjects to rebel. But there is an interior History of Ireland—the genuine voice of its records and monuments—which speaks a very different language from these histories from Temple and from Clarendon. These restore nature to its just rights, and policy to its proper order; for they even now show to those who have been at the pains to examine them—and they may show one day to all the world—that these rebellions were not produced by toleration but by persecution; that they arose not from just and mild government, but from the most unparalleled oppression. These records will be far from giving the least countenance to a doctrine so repugnant to humanity and good sense as that the security of any establishment, civil or religious, can ever depend upon the misery of those who live under it, or that its danger can arise from their quiet and prosperity. God forbid that the history of this or any country should give such encouragement to the folly or vices of those who govern. If it can be shown that the great rebellions of Ireland have arisen from attempts to reduce the natives to the state to which they are now reduced, it will show that an attempt to continue them in that state will rather be disadvantageous to the public peace than any kind of security to it. These things have, in some measure, begun to appear already, and as far as regards the argument drawn from former rebellions, it will fall readily to the ground. But, for my part, I think the

real danger to every state is, to render its subjects justly discontented; nor is there in politics or science any more effectual secret for their security than to establish in their people a firm opinion that no change can be for their advantage. It is true that bigotry and fanaticism may, for a time, draw great multitudes of people from a knowledge of their true and substantial interest. But upon this I have to remark three things; first, that such a temper can never become universal, or last for a long time. The principle of religion is seldom lasting; the majority of men are in no persuasion bigots; they are not willing to sacrifice on every vain imagination that superstition or enthusiasm holds forth, or that even zeal and piety recommend, the certain possession of their temporal happiness. And if such a spirit has been at any time roused in a society, after it has had its paroxysm it commonly subsides and is quiet, and is even the weaker for the violence of its first exertion; security and ease are its mortal enemies. But secondly, if anything can tend to revive and keep it up, it is to keep alive the passions of men by ill usage. This is enough to irritate even those who have not a spark of bigotry in their constitution to the most desperate enterprises; it certainly will inflame, darken, and render more dangerous, the spirit of bigotry in those who are possessed by it. Lastly, by rooting out any sect, you are never secure against the effects of fanaticism; it may arise on the side of the most favoured opinions; and many are the instances

wherein the established religion of a state has grown ferocious and turned upon its keeper, and has often torn to pieces the civil establishment that had cherished it, and which it was designed to support; France—England—Holland.

But there may be danger of wishing a change, even where no religious motive can operate; and every enemy to such a state comes as a friend to the subject; and where other countries are under terror, they begin to hope.

This argument *ad verecundiam* has as much force as any such have. But I think it fares but very indifferently with those who make use of it; for they would get but little to be proved abettors of tyranny at the expense of putting me to an inconvenient acknowledgment. For if I were to confess that there are circumstances in which it would be better to establish such a religion . . . . .

. . . . . .

With regard to the Pope's interest. This foreign chief of their religion cannot be more formidable to us than to other Protestant countries. To conquer that country for himself is a wild chimera; to encourage revolt in favour of foreign princes is an exploded idea in the politics of that Court. Perhaps it would be full as dangerous to have the people under the conduct of factious pastors of their own as under a foreign ecclesiastical court.

. . . . . .

In the second year of the reign of Queen Elizabeth were enacted several limitations in the acquisition or the retaining of property, which had—so far as regarded any general principles—hitherto remained untouched under all changes.

These Bills met no opposition either in the Irish Parliament or in the English Council, except from private agents, who were little attended to; and they passed into laws with the highest and most general applauses, as all such things are, in the beginning, not as a system of persecution, but as masterpieces of the most subtle and refined politics. And to say the truth, these laws—at first view—have rather an appearance of a plan of vexatious litigation and crooked law chicanery, than of a direct and sanguinary attack upon the rights of private conscience, because they did not affect life, at least with regard to the laity; and making the Catholic opinions rather the subject of civil regulations than of criminal prosecutions, to those who are not lawyers and read these laws, they only appear to be a species of jargon. For the execution of criminal law has always a certain appearance of violence. Being exercised directly on the persons of the supposed offenders, and commonly executed in the face of the public, such executions are apt to excite sentiments of pity for the sufferers, and indignation against those who are employed in such cruelties—being seen as single acts of cruelty, rather than as ill general principles of government. But the operation of the laws

in question being such as common feeling brings home to every man's bosom, they operate in a sort of comparative silence and obscurity; and though their cruelty is exceedingly great, it is never seen in a single exertion, and always escapes commiseration, being scarce known, except to those who view them in a general—which is always a cold and phlegmatic —light. The first of these laws being made with so general a satisfaction, as the chief governors found that such things were extremely acceptable to the leading people in that country, they were willling enough to gratify them with the ruin of their fellow-citizens; they were not sorry to divert their attention from other inquiries, and to keep them fixed to this, as if this had been the only real object of their national politics; and for many years there was no speech from the throne which did not, with great appearance of seriousness, recommend the passing of such laws; and scarce a session went over without in effect passing some of them, until they have by degrees grown to be the most considerable head in the Irish Statute Book. At the same time, giving a temporary and occasional mitigation to the severity of some of the harshest of those laws, they appeared in some sort the protectors of those whom they were in reality destroying by the establishment of general constitutions against them. At length, however, the policy of this expedient is worn out; the passions of men are cooled; those laws begin to disclose themselves, and to pro-

duce effects very different from those which were promised in making them; for crooked counsels are ever unwise; and nothing can be more absurd and dangerous than to tamper with the natural foundations of society, in hopes of keeping it up by certain contrivances.

II.

A LETTER TO SIR CHARLES BINGHAM, Bart., on the IRISH ABSENTEE TAX.[1]

DEAR SIR,

I AM much flattered by your very obliging letter, and the rather because it promises an opening to our future correspondence. This may be my only indemnification for very great losses. One of the most odious parts of the proposed Absentee Tax is its tendency to separate friends, and to make as ugly breaches in private society as it must make in the unity of the great political body. I am sure that much of the satisfaction of some circles in London will be lost by it. Do you think that our friend Mrs. Vesey will suffer her husband to vote for a tax that is to destroy the evenings at Bolton Row? I trust we shall have other supporters of the same sex,

1 From authentic documents found with the copy of this letter among Mr. Burke's papers, it appears that in the year 1773 a project of imposing a tax upon all proprietors of landed estates in Ireland, whose ordinary residence should be in Great Britain, had been adopted and avowed by his Majesty's ministers at that time. A remonstrance against this measure, as highly unjust and impolitic, was presented to the ministers by several of the principal Irish absentees, and the project was subsequently abandoned.

equally powerful and equally deserving to be so, who will not abandon the common cause of their own liberties and our satisfactions. We shall be barbarised on both sides of the water if we do not see one another now and then. *We* shall sink into surly, brutish Johns, and *you* will degenerate into wild Irish. It is impossible that we should be the wiser or the more agreeable; certainly we shall not love one another the better for this forced separation which our ministers, who have already done so much for the dissolution of every other sort of good connection, are now meditating for the further improvement of this too well united empire. Their next step will be to encourage all the colonies—about thirty separate Governments—to keep their people from all intercourse with each other and with the mother country. A gentleman of New York or Barbadoes will be as much gazed at as a strange animal from Nova Zembla or Otaheite, and those rogues, the travellers, will tell us what stories they please about poor old Ireland.

In all seriousness (though I am a great deal more than half serious in what I have been saying), I look upon this projected tax in a very evil light. I think it is not advisable; I am sure it is not necessary; and as it is not a mere matter of finance, but involves a political question of much importance, I consider the principle and precedent as far worse than the thing itself. You are too kind in imagining I can suggest anything new upon the subject. The objections to it

are very glaring, and must strike the eyes of all those who have not their reasons for shutting them against evident truth. I have no feelings or opinions on this subject which I do not partake with all the sensible and informed people that I meet with. At first I could scarcely meet with any one who could believe that this scheme originated from the English Government. They considered it not only as absurd, but as something monstrous and unnatural. In the first instance it strikes at the power of this country, in the end, at the union of the whole empire. I do not mean to express, most certainly I do not entertain in my mind, anything invidious concerning the superintending authority of Great Britain. But if it be true that the several bodies which make up this complicated mass are to be preserved as one empire, an authority sufficient to preserve that unity, and by its equal weight and pressure to consolidate the various parts that compose it, must reside somewhere;—that somewhere can only be in England. Possibly any one member distinctly taken might decide in favour of that residence within itself, but certainly no member would give its voice for any other except this. So that I look upon the residence of the supreme power to be settled here not by force or tyranny, or even by mere long usage, but by the very nature of things and the joint consent of the whole body.

If all this be admitted, then without question this country must have the sole right to the Imperial

Legislation, by which I mean that law which regulates the polity and economy of the several parts, as they relate to one another and to the whole. But if any of the parts, which (not for oppression but for order) are placed in a subordinate situation, will assume to themselves the power of hindering or checking the resort of their municipal subjects to the centre, or even to any other part of the empire, they arrogate to themselves the imperial rights, which do not, which cannot, belong to them, and, so far as in them lies, destroy the happy arrangement of the entire empire.

A free communication, by *discretionary residence*, is necessary to all the other purposes of communication. For what purpose are the Irish and Plantation laws sent hither, but as means of preserving this sovereign constitution? Whether such a constitution was originally right or wrong, this is not the time of day to dispute. If any evils arise from it, let us not strip it of what may be useful in it. By taking the English Privy Council into your Legislature, you obtain a new, a further, and, possibly, a more liberal consideration of all your acts. If a local Legislature shall by oblique means tend to deprive any of the people of this benefit, and shall make it penal to them to follow into England the laws which may affect them, then the English Privy Council will have to decide upon your acts without those lights that may enable them to judge upon what grounds you made them, or how far they ought to be modified, received, or rejected.

To what end is the ultimate appeal in judicature lodged in this kingdom, if men may be disabled from following their suits here, and may be taxed into an absolute *denial of justice?* You observe, my dear sir, that I do not assert that, in all cases, two shillings will necessarily cut off this means of correcting legislative and judicial mistakes, and thus amount to a denial of justice. I might indeed state cases in which this very quantum of tax would be fully sufficient to defeat this right. But I argue not on the case, but on the principle, and I am sure the principle implies it. They who may restrain, may prohibit. They who may impose two shillings, may impose ten shillings, in the pound; and those who may condition the tax to six months' annual absence, may carry that condition to six weeks, or even to six days, and thereby totally defeat the wise means which have been provided for extensive and impartial justice, and for orderly, well-poised, and well-connected government.

What is taxing the resort to and residence in any place, but declaring that your connection with that place is a grievance? Is not such an Irish tax as is now proposed a virtual declaration that England is a foreign country, and a renunciation on your part of the principle of *common naturalisation*, which runs through this whole empire?

Do you, or does any Irish gentleman, think it a mean privilege that, the moment he sets his foot upon this ground, he is to all intents and purposes an

Englishman? You will not be pleased with a law, which by its operation tends to disqualify you from a seat in this Parliament; and if your own virtue or fortune, or if that of your children, should carry you or them to it, should you like to be excluded from the possibility of a peerage in this kingdom? If in Ireland we lay it down as a maxim, that a residence in Great Britain is a political evil, and to be discouraged by penal taxes, you must necessarily reject all the privileges and benefits which are connected with such a residence.

I can easily conceive that a citizen of Dublin, who looks no farther than his counter, may think that Ireland will be repaid for such a loss by any small diminution of taxes, or any increase in the circulation of money, that may be laid out in the purchase of claret or groceries in his corporation. In such a man an error of that kind, as it would be natural, would be excusable. But I cannot think that any educated man, any man who looks with an enlightened eye on the interest of Ireland, can believe that it is not highly for the advantage of Ireland that this Parliament, which, whether right or wrong, whether we will or not, will make some laws to bind Ireland, should always have in it some persons, who, by connection, by property, or by early prepossessions and affections, are attached to the welfare of that country. I am so clear upon this point, not only from the clear reason of the thing, but from the constant course of my observation, by now

having sat eight sessions in Parliament, that I declare it to you, as my sincere opinion, that (if you must do either the one or the other) it would be wiser by far, and far better for Ireland, that some new privileges should attend the estates of Irishmen, members of the two Houses here, than that their characters should be stained by penal impositions, and their properties loaded by unequal and unheard-of modes of taxation. I do really trust that, when the matter comes a little to be considered, a majority of our gentlemen will never consent to establish such a principle of disqualification against themselves and their posterity, and, for the sake of gratifying the schemes of a transitory Administration of the Cockpit or the Castle, or in compliance with the lightest part of the most vulgar and transient popularity, fix so irreparable an injury on the permanent interest of their country.

This law seems, therefore, to me to go directly against the fundamental points of the legislative and judicial constitution of these kingdoms, and against the happy communion of their privileges. But there is another matter in the tax proposed, that contradicts as essentially a very great principle necessary for preserving the union of the various parts of a State; because it does, in effect, discountenance mutual intermarriage and inheritance—things that bind countries more closely together than any laws or constitutions whatsoever. Is it right that a woman who marries into Ireland, and perhaps well purchases her jointure

or her dower there, should not after her husband's death have it in her choice to return to her country and her friends without being taxed for it?

If an Irish heiress should marry into an English family, and that great property in both countries should thereby come to be united in this common issue, shall the descendant of that marriage abandon his natural connection, his family interests, his public and his private duties, and be compelled to take up his residence in Ireland? Is there any sense or any justice in it, unless you affirm that there should be no such intermarriage and no such mutual inheritance between the natives? Is there a shadow of reason that because a Lord Rockingham, a Duke of Devonshire, a Sir George Saville, possess property in Ireland, which has descended to them without any act of theirs, they should abandon their duty in Parliament, and spend the winters in Dublin? or, having spent the Session in Westminster, must they abandon their seats and all their family interests in Yorkshire and Derbyshire, and pass the rest of the year in Wicklow, in Cork, or Tyrone?

See what the consequence must be from a municipal legislature considering itself as an unconnected body, and attempting to enforce a partial residence. A man may have property in more parts than two of this empire. He may have property in Jamaica and in North America, as well as in England and Ireland. I know some that have property in all of them. What

shall we say to this case? After the poor distracted citizen of the whole empire has, in compliance with your partial law, removed his family, bid adieu to his connections, and settled himself quietly and snug in a pretty box by the Liffey, he hears that the Parliament of Great Britain is of opinion that all English estates ought to be spent in England, and that they will tax him double if he does not return. Suppose him, then (if the nature of the two laws will permit it), providing a flying camp, and dividing his year as well as he can between England and Ireland, and at the charge of two town-houses and two country-houses in both kingdoms; in this situation he receives an account that a law is transmitted from Jamaica, and another from Pennsylvania, to tax absentees from these provinces, which are impoverished by the European residence of the possessors of their lands. How is he to escape this *ricochet* cross-firing of so many opposite batteries of police and regulation? If he attempts to comply, he is likely to be more a citizen of the Atlantic Ocean and the Irish Sea than of any of these countries. The matter is absurd and ridiculous; and while ever the idea of mutual marriages, inheritances, purchases, and privileges subsist, can never be carried into execution with common sense or common justice.

I do not know how gentlemen of Ireland reconcile such an idea to their own liberties, or to the natural use and enjoyment of their estates. If any of their children should be left in a minority, and a guardian

should think, as many do (it matters not whether properly or no), that his ward had better be educated in a school or university here than in Ireland, is he sure that he can justify the bringing a tax of ten per cent, perhaps twenty, on his pupil's estate, by giving what, in his opinion, is the best education in general, or the best for that pupil's particular character and circumstances? Can he justify his sending him to travel—a necessary part of the higher style of education, and, notwithstanding what some narrow writers have said, of great benefit to all countries, but very particularly so to Ireland? Suppose a guardian, under the authority or pretence of such a tax of police, had prevented our dear friend, Lord Charlemont, from going abroad, would he have lost no satisfaction? Would his friends have lost nothing in the companion? Would his country have lost nothing in the cultivated taste with which he has adorned it in so many ways? His natural elegance of mind would undoubtedly do a great deal; but I will venture to assert, without the danger of being contradicted, that he adorns his present residence in Ireland much the more for having resided a long time out of it. Will Mr. Flood himself think he ought to have been driven by taxes into Ireland, whilst he prepared himself by an English education to understand and to defend the rights of the subject in Ireland, or to support the dignity of Government there according as his opinions, or the situation of things, may lead him to take either part upon respectable principles?

I hope it is not forgot that an Irish Act of Parliament sends its youth to England for the study of the Law, and compels a residence in the Inns of Court here for some years. Will you send out with one breath and recall with another? This Act plainly provides for that intercourse which supposes the strictest union in laws and policy, in both which the intended tax supposes an entire separation.

It would be endless to go into all the inconveniences this tax will lead to in the conduct of private life and the use of property. How many infirm people are obliged to change their climate whose life depends upon that change? How many families straitened in their circumstances are there, who from the shame, sometimes from the utter impossibility otherwise of retrenching, are obliged to remove from their country in order to preserve their estates in their families? You begin, then, to burthen these people precisely at the time when their circumstances of health and fortune render them rather objects of relief and commiseration.

I know very well that a great proportion of the money of every subordinate country will flow towards the metropolis. This is unavoidable. Other inconveniences too will result to particular parts; and why? Why, because they are particular parts; each a member of a greater, and not a whole within itself. But those members are to consider whether these inconveniences are not fully balanced—perhaps more than

balanced—by the united strength of a great and compact body. I am sensible, too, of a difficulty that will be started against the application of some of the principles which I reason upon to the case of Ireland. It will be said that Ireland, in many particulars, is not bound to consider itself as a part of the British body, because this country in many instances is mistaken enough to treat you as foreigners, and draws away your money by absentees without suffering you to enjoy your natural advantages in trade and commerce. No man living loves restrictive regulations of any kind less than myself; at best, nine times in ten, they are little better than laborious and vexatious follies. Often, as in your case, they are great oppressions as well as great absurdities. But still an injury is not always a reason for retaliation, nor is the folly of others with regard to us a reason for imitating it with regard to them. Before we attempt to retort we ought to consider whether we may not injure ourselves even more than our adversary, since, in the contest who shall go the greatest length in absurdity, the victor is generally the greatest sufferer. Besides, when there is an unfortunate emulation in restraints and oppressions, the question of *strength* is of the highest importance. It little becomes the feeble to be unjust. Justice is the shield of the weak, and when they choose to lay this down, and fight naked in the contest of mere power, the event will be what must be expected from such imprudence.

I ought to beg your pardon for running into this length. You want no arguments to convince you on this subject, and you want no resources of matter to convince others. I ought, too, to ask pardon for having delayed my answer so long, but I received your letter on Tuesday in town, and I was obliged to come to the country on business. From the country I write at present, but this day I shall go to town again. I shall see Lord Rockingham, who has spared neither time nor trouble in making a vigorous opposition to this inconsiderate measure. I hope to be able to send you the papers, which will give you information of the steps he has taken. He has pursued this business with the foresight, diligence, and good sense with which he generally resists unconstitutional attempts of Government. A life of disinterestedness, generosity, and public spirit, are his titles to have it believed that the effect which the Tax may have upon his private property is not the sole nor the principal motive to his exertions. I know he is of opinion that the opposition in Ireland ought to be carried on with that spirit, as if no aid was expected from this country; and here, as if nothing would be done in Ireland, many things have been lost by not acting in this manner.

I am told that you are not likely to be alone in the generous stand you are to make against this unnatural monster of Court popularity. It is said Mr. Hussey—who is so very considerable at present, and who is everything in expectation—will give his assistance.

I rejoice to see (that very rare spectacle) a good mind, a great genius, and public activity united together, and united so early in life. By not running into every popular humour he may depend upon it the popularity of his character will wear the better.

> Non ponebat enim rumores ante salutem ;
> Ergo postque magisque viri nunc gloria claret.

Adieu, my dear sir. Give my best respects to Lady Bingham ; and believe me, with great truth and esteem,—Your most obedient and most humble Servant,

EDM. BURKE.

BEACONSFIELD, 30*th October* 1773.

To Sir Chas. Bingham.

III.

A LETTER to the HONOURABLE CHARLES JAMES FOX.

MY DEAR CHARLES,

I AM on many accounts exceedingly pleased with your journey to Ireland. I do not think it was possible to dispose better of the interval between this and the meeting of Parliament. I told you as much in the same general terms by the post. My opinion of the infidelity of that conveyance hindered me from being particular. I now sit down with malice prepense to kill you with a very long letter, and must take my chance for some safe method of conveying the dose. Before I say anything to you of the place you are in, or the business of it—on which, by the way, a great deal might be said—I will turn myself to the concluding part of your letter from Chatsworth.

You are sensible that I do not differ from you in many things, and most certainly I do not dissent from the main of your doctrine concerning the heresy of depending upon contingencies. You must recollect how uniform my sentiments have been on that subject.

I have ever wished a settled plan of our own, founded in the very essence of the American business, wholly unconnected with the events of the war, and framed in such a manner as to keep up our credit and maintain our system at home, in spite of anything which may happen abroad. I am now convinced, by a long and somewhat vexatious experience, that such a plan is absolutely impracticable. I think with you that some faults in the constitution of those whom we must love and trust, are among the causes of this impracticability; they are faults, too, that one can hardly wish them perfectly cured of, as I am afraid they are intimately connected with honest, disinterested intentions, plentiful fortunes, assured rank, and quiet homes. A great deal of activity and enterprise can scarcely ever be expected from such men, unless some horrible calamity is just over their heads, or unless they suffer some gross personal insults from power, the resentment of which may be as unquiet and stimulating a principle in their minds as ambition is in those of a different complexion. To say the truth, I cannot greatly blame them. We live at a time when men are not repaid in fame for what they sacrifice in interest or repose.

On the whole, when I consider of what discordant, and particularly of what fleeting materials the Opposition has been all along composed, and at the same time review what Lord Rockingham has done, with that and with his own shattered constitution for these last twelve years, I confess I am rather surprised that

he has done so much and persevered so long, than that he has felt now and then some cold fits, and that he grows somewhat languid and desponding at last. I know that he and those who are much prevalent with him—though they are not thought so much devoted to popularity as others—do very much look to the people; and more than I think is wise in them, who do so little to guide and direct the public opinion. Without this they act indeed; but they act as it were from compulsion, and because it is impossible, in their situation, to avoid taking some part. All this it is impossible to change, and to no purpose to complain of.

As to that popular humour, which is the medium we float in, if I can discern anything at all of its present state, it is far worse than I have ever known, or could ever imagine it. The faults of the people are not popular vices—at least they are not such as grow out of what we used to take to be the English temper and character. The greatest number have a sort of a heavy, lumpish acquiescence in Government, without much respect or esteem for those that compose it. I really cannot avoid making some very unpleasant prognostics from this disposition of the people. I think many of the symptoms must have struck you; I will mention one or two that are to me very remarkable. You must know that at Bristol we grow, as an election interest, and even as a party interest, rather stronger than we were when I was chosen. We have just now a majority in the corporation. In

this state of matters what, think you, have they done? They have voted their freedom to Lord Sandwich and Lord Suffolk!—to the first at the very moment when the American privateers were domineering in the Irish Sea, and taking the Bristol traders in the Bristol Channel;—to the latter when his remonstrances on the subject of captures were the jest of Paris and of Europe. This fine step was taken, it seems, in honour of the zeal of these two profound statesmen in the prosecution of John the Painter—so totally negligent are they of everything essential, and so long and so deeply affected with trash the most low and contemptible; just as if they thought the merit of Sir John Fielding was the most shining point in the character of great ministers in the most critical of all times, and, of all others, the most deeply interesting to the commercial world! My best friends in the Corporation had no other doubts on the occasion than whether it did not belong to me, by right of my representative capacity, to be the bearer of this auspicious compliment. In addition to this, if it could receive any addition, they now employ me to solicit as a favour of no small magnitude, that after the example of Newcastle they may be suffered to arm vessels for their own defence in the Channel. Their memorial, under the seal of Merchant's Hall, is now lying on the table before me. Not a soul has the least sensibility on finding themselves now for the first time obliged to act as if the community were dissolved, and after

enormous payments towards the common protection, each part was to defend itself as if it were a separate State.

I don't mention Bristol as if that were the part farthest gone in this mortification. Far from it; I know that there is rather a little more life in us than in any other place. In Liverpool they are literally almost ruined by this American War; but they love it as they suffer from it. In short, from whatever I see, and from whatever quarter I hear, I am convinced that everything that is not absolute stagnation is evidently a party spirit very adverse to our politics and to the principles from whence they arise. There are manifest marks of the resurrection of the Tory party. They no longer criticise, as all disengaged people in the world will, on the acts of Government; but they are silent under every evil, and hide and cover up every ministerial blunder and misfortune with the officious zeal of men who think they have a party of their own to support in power. The Tories do universally think their power and consequence involved in the success of this American business. The clergy are astonishingly warm in it; and what the Tories are when embodied and united with their natural head, the Crown, and animated by their clergy, no man knows better than yourself. As to the Whigs, I think them far from extinct. They are, what they always were (except by the able use of opportunities), by far the weakest party in this country. They have

not yet learned the application of their principles to the present state of things; and as to the dissenters, the main effective part of the Whig strength, they are —to use a favourite expression of our American campaign style—"not all in force." They will do very little, and, as far as I can discern, are rather intimidated than provoked at the denunciations of the Court in the Archbishop of York's sermon. I thought that sermon rather imprudent when I first saw it; but it seems to have done its business.

In this temper of the people I do not wholly wonder that our Northern friends look a little towards events. In war, particularly, I am afraid it must be so. There is something so weighty and decisive in the events of war, something that so completely overpowers the imagination of the vulgar, that all counsels must, in a great degree, be subordinate to and attendant on them. I am sure it was so in the last war very eminently. So that, on the whole, what with the temper of the people, the temper of our own friends, and the domineering necessities of war, we must quietly give up all ideas of any settled, preconcerted plan. We shall be lucky enough, if, keeping ourselves attentive and alert, we can contrive to profit of the occasions as they arise; though I am sensible that those who are best provided with a general scheme are fittest to take advantage of all contingencies. However, to act with any people with the least degree of comfort, I believe we must contrive a little to assimilate to their character. We

must gravitate towards them, if we would keep in the same system, or expect that they should approach towards us. They are indeed worthy of much concession and management. I am quite convinced that they are the honestest public men that ever appeared in this country, and I am sure that they are the wisest by far of those who appear in it at present. None of those who are continually complaining of them, but are themselves just as chargeable with all their faults, and have a decent stock of their own into the bargain. They (our friends) are, I admit, as you very truly represent them, but indifferently qualified for storming a citadel. After all, God knows whether this citadel is to be stormed by them, or by anybody else, by the means they use, or by any means. I know that as they are, abstractedly speaking, to blame, so there are those who cry out against them for it, not with a friendly complaint as we do, but with the bitterness of enemies. But I know, too, that those who blame them for want of enterprise have shown no activity at all against the common enemy; all their skill and all their spirit have been shown only in weakening, dividing, and indeed destroying their allies. What they are and what we are is now pretty evidently experienced; and it is certain that partly by our common faults, but much more by the difficulties of our situation, and some circumstances of unavoidable misfortune, we are in little better than a sort of *cul-de-sac*. For my part, I do all I can to give ease to my mind in this strange

position. I remember, some years ago, when I was pressing some points with great eagerness and anxiety, and complaining with great vexation to the Duke of Richmond of the little progress I make, he told me kindly, and I believe very truly, that though he was far from thinking so himself, other people could not be persuaded I had not some latent private interest in pushing these matters, which I urged with an earnestness so extreme, and so much approaching to passion. He was certainly in the right. I am thoroughly resolved to give, both to myself and to my friends, less vexation on these subjects than hitherto I have done; —much less indeed.

If *you* should grow too earnest, you will be still more inexcusable than I was. Your having entered into affairs so much younger ought to make them too familiar to you to be the cause of much agitation, and you have much more before you for your work. Do not be in haste. Lay your foundations deep in public opinion. Though (as you are sensible) I have never given you the least hint of advice about joining yourself in a declared connection with our Party, nor do I now; yet as I love that Party very well, and am clear that you are better able to serve them than any man I know, I wish that things should be so kept as to leave you mutually very open to one another in all changes and contingencies; and I wish this the rather, because, in order to be very great, as I am anxious that you should be (always presuming that you are disposed to

make a good use of power), you will certainly want some better support than merely that of the Crown. For I much doubt whether, with all your parts, you are the man formed for acquiring real interior favour in this Court, or in any; I therefore wish you a firm ground in the country; and I do not know so firm and so sound a bottom to build on as our Party. Well, I have done with this matter; and you think I ought to have finished it long ago. Now I turn to Ireland.

Observe that I have not heard a word of any news relative to it from thence or from London; so that I am only going to state to you my conjectures as to facts, and to speculate again on these conjectures. I have a strong notion that the lateness of our meeting is owing to the previous arrangements intended in Ireland. I suspect they mean that Ireland should take a sort of lead, and act an efficient part in this war, both with men and money. It will sound well, when we meet, to tell us of the active zeal and loyalty of the people of Ireland, and contrast it with the rebellious spirit of America. It will be a popular topic—the perfect confidence of Ireland in the power of the British Parliament. From thence they will argue the little danger, which any dependency of the Crown has to apprehend from the enforcement of that authority. It will be, too, somewhat flattering to the country gentlemen, who might otherwise begin to be sullen, to hold out that the burthen is not wholly to

rest upon them, and it will pique our pride to be told that Ireland has cheerfully stepped forward; and when a dependant of this kingdom has already engaged itself in another year's war, merely for our dignity, how can we, who are Principals in the quarrel, hold off? This scheme of policy seems to me so very obvious, and is likely to be of so much service to the present system, that I cannot conceive it possible they should neglect it, or something like it. They have already put the people of Ireland to the proof. Have they not born the Earl of Buckinghamshire? the person who was employed to move the fiery Committee in the House of Lords, in order to stimulate the Ministry to this war; who was in the chair; and who moved the Resolutions.

It is within a few days of eleven years since I was in Ireland, and then after an absence of two. Those who have been absent from any scene for even a much shorter time, generally lose the true practical notion of the country, and of what may or may not be done in it. When I knew Ireland it was very different from the state of England, where Government is a vast deal, the Public something, but Individuals comparatively very little. But if Ireland bears any resemblance to what it was some years ago, neither Government nor public opinion can do a great deal; almost the whole is in the hands of a few leading people. The populace of Dublin, and some parts in the North, are in some sort an exception. But the Primate, Lord

Hillsborough, and Lord Hertford, have great sway in the latter, and the former may be considerable or not, pretty much as the Duke of Leinster pleases. On the whole, the success of the Government usually depended on the bargain made with a very few men. The resident Lieutenancy may have made some change, and given a strength to Government which formerly, I know, it had not; still, however, I am of opinion, the former state, though in other hands perhaps, and in another manner, still continues. The house you are connected with is grown into a much greater degree of power than it had, though it was very considerable at the period I speak of. If the D. of L. takes a popular part, he is sure of the city of Dublin, and he has a young man attached to him, who stands very forward in Parliament, and in profession, and, by what I hear, with more goodwill and less envy than usually attends so rapid a progress. The movement of one or two principal men, if they manage the little popular strength which is to be found in Dublin and Ulster, may do a great deal—especially when money is to be saved and taxes to be kept off. I confess I should despair of your succeeding with any of them, if they cannot be satisfied that every job which they can look for on account of carrying this measure, would be just as sure to them for their ordinary support of Government. They are essential to Government, which at this time must not be disturbed, and their neutrality will be purchased at as high a price as their alliance, offen-

sive and defensive. Now, as by supporting they may get as much as by betraying their country, it must be a great leaning to turpitude that can make them take a part in this war. I am satisfied that if the Duke of Leinster and Lord Shannon could act together, this business would not go on; or if either of them took part with Ponsonby, it would have no better success. Hutchinson's situation is much altered since I saw you. To please Tisdall, he had been in a manner laid aside at the Castle. It is now to be seen whether he prefers the gratification of his resentment and his appetite for popularity—both of which are strong enough in him—to the advantages which his independence gives him of making a new bargain and accumulating new offices on his heap. Pray do not be asleep in this scene of action; at this time, if I am right, the principal. The Protestants of Ireland will be, I think, in general backward; they form infinitely the greatest part of the landed and the monied interests, and they will not like to pay. The Papists are reduced to beasts of burthen; they will give all they have—their shoulders—readily enough if they are flattered. Surely the state of Ireland ought for ever to teach parties moderation in their victories. People crushed by law have no hopes but from power. If laws are their enemies, they will be enemies to laws; and those who have much to hope and nothing to lose will always be dangerous, more or less. But this is not our present business. If all this should prove a dream, however, let it not hinder you from writing to

me and telling me so. You will easily refute, in your conversation, the little topics which they will set afloat; such as, that Ireland is a boat and must go with the ship; that if the Americans contended only for their liberties it would be different; but since they have declared independence, and so forth.

You are happy in enjoying Townsend's company. Remember me to him. How does he like his private situation in a country where he was the son of the sovereign? Mrs. Burke and the two Richards salute you cordially.

E. B.

BEACONSFIELD, 8*th October* 1777.

IV.

TWO LETTERS from Mr. BURKE, to GENTLEMEN in the City of Bristol; on the BILLS DEPENDING IN PARLIAMENT RELATIVE TO THE TRADE OF IRELAND, 1778.[1]

To Samuel Span, Esq., Master of the Society of Merchants Adventurers of Bristol.

SIR,

I AM honoured with your letter of the 13th, in answer to mine, which accompanied the resolutions of the House relative to the trade of Ireland.

You will be so good as to present my best respects to the Society, and to assure them, that it was alto-

[1] These were propositions introduced by Lord North for removing certain restrictions on the trade of Ireland. They were at first well received on both sides of the House, as being founded in justice, and a liberal policy required by the circumstances of the time. Subsequently, the jealousy of the English manufacturers and traders was so strongly expressed, and so much influenced the conduct of many of the representatives of those interests in Parliament, that in the bill giving effect to the propositions it was thought necessary, towards the end of the session, to give up most of the advantages originally intended for Ireland.

gether unnecessary to remind me of the interest of the constituents. I have never regarded anything else since I had a seat in Parliament. Having frequently and maturely considered that interest, and stated it to myself in almost every point of view, I am persuaded that, under the present circumstances, I cannot more effectually pursue it than by giving all the support in my power to the propositions which I lately transmitted to the hall.

The fault I find in the scheme is,—that it falls extremely short of that liberality in the commercial system, which, I trust, will one day be adopted. If I had not considered the present resolutions merely as preparatory to better things, and as a means of showing, experimentally, that justice to others is not always folly to ourselves, I should have contented myself with receiving them in a cold and silent acquiescence. Separately considered, they are matters of no very great importance. But they aim, however imperfectly, at a right principle. I submit to the restraint to appease prejudice; I accept the enlargement, so far as it goes, as the result of reason and of sound policy.

We cannot be insensible of the calamities which have been brought upon this nation by an obstinate adherence to narrow and restrictive plans of government. I confess, I cannot prevail on myself to take them up precisely at a time when the most decisive experience has taught the rest of the world to lay them down. The propositions in question did not originate

from me, or from my particular friends. But when things are so right in themselves, I hold it my duty not to inquire from what hands they come. I opposed the American measures upon the very same principle on which I support those that relate to Ireland. I was convinced that the evils which have arisen from the adoption of the former would be infinitely aggravated by the rejection of the latter.

Perhaps gentlemen are not yet fully aware of the situation of their country, and what its exigencies absolutely require. I find that we are still disposed to talk at our ease, and as if all things were to be regulated by our good pleasure. I should consider it as a fatal symptom, if, in our present distressed and adverse circumstances, we should persist in the errors which are natural only to prosperity. One cannot indeed sufficiently lament the continuance of that spirit of delusion by which, for a long time past, we have thought fit to measure our necessities by our inclinations. Moderation, prudence, and equity are far more suitable to our condition than loftiness, and confidence, and rigour. We are threatened by enemies of no small magnitude, whom, if we think fit, we may despise, as we have despised others; but they are enemies who can only cease to be truly formidable by our entertaining a due respect for their power. Our danger will not be lessened by our shutting our eyes to it; nor will our force abroad be increased by rendering ourselves feeble and divided at home.

There is a dreadful schism in the British nation. Since we are not able to re-unite the empire, it is our business to give all possible vigour and soundness to those parts of it which are still content to be governed by our councils. Sir, it is proper to inform you that our measures *must be healing*. Such a degree of strength must be communicated to all the members of the State, as may enable them to defend themselves and to co-operate in the defence of the whole. Their temper, too, must be managed, and their good affections cultivated. They may then be disposed to bear the load with cheerfulness, as a contribution towards what may be called with truth and propriety, and not by an empty form of words, *a common cause*. Too little dependence cannot be had, at this time of day, on names and prejudices. The eyes of mankind are opened; and communities must be held together by an evident and solid interest. God forbid that our conduct should demonstrate to the world that Great Britain can, in no instance whatsoever, be brought to a sense of rational and equitable policy, but by coercion and force of arms.

I wish you to recollect with what powers of concession, relatively to commerce, as well as to legislation, His Majesty's Commissioners to the united colonies have sailed from England within this week. Whether these powers are sufficient for their purposes, it is not now my business to examine. But we all know that our resolutions in favour of Ireland are trifling and

insignificant when compared with the concessions to the Americans. At such a juncture I would implore every man who retains the least spark of regard to the yet remaining honour and security of this country not to compel others to an imitation of their conduct, or by passion and violence to force them to seek, in the territories of the separation, that freedom, and those advantages which they are not to look for whilst they remain under the wings of their ancient Government.

After all, what are the matters we dispute with so much warmth? Do we in these resolutions *bestow* anything upon Ireland? Not a shilling. We only consent to *leave* to them, in two or three instances, the use of the natural faculties which God has given to them and to all mankind. Is Ireland united to the Crown of Great Britain for no other purpose than that we should counteract the bounty of Providence in her favour?—and in proportion as that bounty has been liberal that we are to regard it as an evil, which is to be met with in every sort of corrective? To say that Ireland interferes with us, and therefore must be checked, is, in my opinion, a very mistaken and a very dangerous principle. I must beg leave to repeat what I took the liberty of suggesting to you in my last letter, that Ireland is a country in the same climate and of the same natural qualities and productions with this, and has consequently no other means of growing wealthy in herself, or, in other words, of being useful

to us, but by doing the very same things which we do, for the same purposes. I hope that in Great Britain we shall always pursue, without exception, *every* means of prosperity; and of course, that Ireland *will* interfere with us in something or other; for either, in order to *limit* her, we *must restrain* ourselves, or we must fall into that shocking conclusion, that we are to keep our yet remaining dependency, under a general and indiscriminate restraint, for the mere purpose of oppression. Indeed, sir, England and Ireland may flourish together. The world is large enough for us both. Let it be our care not to make ourselves too little for it.

I know it is said that the people of Ireland do not pay the same taxes, and therefore ought not in equity to enjoy the same benefits with this. I had hopes that the unhappy phantom of a compulsory *equal taxation* had haunted us long enough. I do assure you, that until it is entirely banished from our imaginations (where alone it has, or can have any existence), we shall never cease to do ourselves the most substantial injuries. To that argument of equal taxation I can only say that Ireland pays as many taxes as those who are the best judges of her powers are of opinion she can bear. To bear more she must have more ability; and, in the order of nature, the advantage must *precede* the charge. This disposition of things being the law of God, neither you nor I *can* alter it. So that if you will have more help from Ireland you

must *previously* supply her with more means. I believe it will be found that if men are suffered freely to cultivate their natural advantages, a virtual equality of contribution will come in its own time, and will flow by an easy descent through its own proper and natural channels. An attempt to disturb that course, and to force nature, will only bring on universal discontent, distress, and confusion.

You tell me, sir, that you prefer a union with Ireland to the little regulations which are proposed in Parliament. This union is a great question of State, to which, when it comes properly before me in my parliamentary capacity, I shall give an honest and unprejudiced consideration. However, it is a settled rule with me, to make the most of my *actual situation;* and not to refuse to do a proper thing because there is something else more proper, which I am not able to do. This union is a business of difficulty, and, on the principles of your letter, a business impracticable. Until it can be matured into a feasible and desirable scheme, I wish to have as close a union of interest and affection with Ireland as I can have; and that, I am sure, is a far better thing than any nominal union of government.

France, and indeed most extensive empires which, by various designs and fortunes, have grown into one great mass, contain many provinces that are very different from each other in privileges and modes of government; and they raise their supplies in different

ways, in different proportions, and under different authorities; yet none of them are for this reason curtailed of their natural rights; but they carry on trade and manufactures with perfect equality. In some way or other the true balance is found, and all of them are poised and harmonised. How much have you lost by the participation of Scotland in all your commerce? The external trade of England has more than doubled since that period; and I believe your internal (which is the most advantageous) has been augmented at least fourfold. Such virtue there is in liberality of sentiment, that you have grown richer even by the partnership of poverty.

If you think that this participation was a loss, commercially considered, but that it has been compensated by the share which Scotland has taken in defraying the public charge—I believe you have not very carefully looked at the public accounts. Ireland, sir, pays a great deal more than Scotland; and is perhaps as much and as effectually united to England as Scotland is. But if Scotland, instead of paying little, had paid nothing at all, we should be gainers, not losers, by acquiring the hearty co-operation of an active, intelligent people, towards the increase of the common stock; instead of our being employed in watching and counteracting them, and their being employed in watching and counteracting us, with the peevish and churlish jealousy of rivals and enemies on both sides.

I am sure, sir, that the commercial experience of the merchants of Bristol will soon disabuse them of the prejudice, that they can trade no longer, if countries more lightly taxed are permitted to deal in the same commodities at the same markets. You know that, in fact, you trade very largely where you are met by the goods of all nations. You even pay high duties on the import of your goods, and afterwards undersell nations less taxed at their own markets; and where goods of the same kind are not charged at all. If it were otherwise you could trade very little. You know that the price of all sorts of manufacture is not a great deal enhanced (except to the domestic consumer) by any taxes paid in this country. This I might very easily prove.

The same consideration will relieve you from the apprehension you express with relation to sugars, and the difference of the duties paid here and in Ireland. Those duties affect the interior consumer only; and for obvious reasons, relative to the interest of revenue itself, they must be proportioned to his ability of payments; but in all cases in which sugar can be an *object of commerce*, and therefore (in this view) of rivalship, you are sensible that you are at least on a par with Ireland. As to your apprehensions concerning the more advantageous situation of Ireland, for some branches of commerce (for it is so but for some), I trust you will not find them more serious. Milford Haven, which is at your door, may serve to show you

that the mere advantage of ports is not the thing which shifts the seat of commerce from one part of the world to the other. If I thought you inclined to take up this matter on local considerations, I should state to you that I do not know any part of the kingdom so well situated for an advantageous commerce with Ireland as Bristol; and that none would be so likely to profit of its prosperity as our city. But your profit and theirs must concur. Beggary and bankruptcy are not the circumstances which invite to an intercourse with that or with any country; and I believe it will be found invariably true that the superfluities of a rich nation furnish a better object of trade than the necessities of a poor one. It is the interest of the commercial world that wealth should be found everywhere.

The true ground of fear in my opinion is this, that Ireland, from the vicious system of its internal polity, will be a long time before it can derive any benefit from the liberty now granted, or from anything else. But, as I do not vote advantages in hopes that they may not be enjoyed, I will not lay any stress upon this consideration. I rather wish that the Parliament of Ireland may, in its own wisdom, remove these impediments and put their country in a condition to avail itself of its natural advantages. If they do not, the fault is with them and not with us.

I have written this long letter in order to give all possible satisfaction to my constituents with regard to

the part I have taken in this affair. It gave me inexpressible concern to find that my conduct had been a cause of uneasiness to any of them. Next to my honour and conscience, I have nothing so near and dear to me as their approbation. However, I had much rather run the risk of displeasing than of injuring them—if I am driven to make such an option. You obligingly lament that you are not to have me for your advocate; but if I had been capable of acting as an advocate in opposition to a plan so perfectly consonant to my known principles and to the opinions I had publicly declared on a hundred occasions, I should only disgrace myself without supporting, with the smallest degree of credit or effect, the cause you wished me to undertake. I should have lost the only thing which can make such abilities as mine of any use to the world now or hereafter—I mean that authority which is derived from an opinion that a member speaks the language of truth and sincerity, and that he is not ready to take up or lay down a great political system for the convenience of the hour; that he is in Parliament to support his opinion of the public good, and does not form his opinion in order to get into Parliament or to continue in it. It is in a great measure for your sake that I wish to preserve this character. Without it I am sure I should be ill able to discharge, by any service, the smallest part of that debt of gratitude and affection which I owe you for the great and honourable trust you have reposed

in me.—I am, with the highest regard and esteem, sir, your most obedient and humble servant,

E. B.

BEACONSFIELD,
23*d April* 1778.

To Messrs. HARFORD, COWLES, ——— *and Co., Bristol.*

GENTLEMEN,

IT gives me the most sensible concern to find that my vote on the resolutions relative to the trade of Ireland has not been fortunate enough to meet with your approbation. I have explained at large the grounds of my conduct on that occasion in my letters to the Merchants Hall; but my very sincere regard and esteem for you will not permit me to let the matter pass without an explanation which is particular to yourselves, and which, I hope, will prove satisfactory to you.

You tell me that the conduct of your late member is not much wondered at; but you seem to be at a loss to account for mine; and you lament that I have taken so decided a part *against* my constituents.

This is rather a heavy imputation. Does it then really appear to you that the propositions to which you refer are, on the face of them, so manifestly wrong, and so certainly injurious to the trade and manufactures of Great Britain—and particularly to yours—that no man could think of proposing or supporting

them, except from resentment to you, or from some other oblique motive? If you suppose your late member, or if you suppose me, to act upon other reasons than we choose to avow, to what do you attribute the conduct of the *other* members, who in the beginning almost unanimously adopted those resolutions? To what do you attribute the strong part taken by the ministers, and along with the ministers, by several of their most declared opponents? This does not indicate a ministerial job, a party design, or a provincial or local purpose. It is therefore not so absolutely clear that the measure is wrong, or likely to be injurious to the true interests of any place, or any person.

The reason, gentlemen, for taking this step at this time is but too obvious and too urgent. I cannot imagine that you forget the great war which has been carried on with so little success (and, as I thought, with so little policy) in America; or that you are not aware of the other great wars which are impending. Ireland has been called upon to repel the attacks of enemies of no small power, brought upon her by councils in which she has had no share. The very purpose and declared object of that original war, which has brought other wars and other enemies on Ireland, was not very flattering to her dignity, her interest, or to the very principle of her liberty. Yet she submitted patiently to the evils she suffered from an

attempt to subdue to *your* obedience, countries whose very commerce was not open to her. America was to be conquered in order that Ireland should *not* trade thither, whilst the miserable trade which she is permitted to carry on to other places has been torn to pieces in the struggle. In this situation, are we neither to suffer her to have any real interest in our quarrel, or to be flattered with the hope of any future means of bearing the burdens which she is to incur in defending herself against enemies which we have brought upon her?

I cannot set my face against such arguments. Is it quite fair to suppose that I have no other motive for yielding to them but a desire of acting *against* my constituents? It is for *you*, and for *your* interest, as a dear, cherished, and respected part of a valuable whole, that I have taken my share in this question. You do not, you cannot suffer by it. If honesty be true policy with regard to the transient interest of individuals, it is much more certainly so with regard to the permanent interest of communities. I know that it is but too natural for us to see our own *certain* ruin in the *possible* prosperity of other people. It is hard to persuade us that everything which is *got* by another is not *taken* from ourselves. But it is fit that we should get the better of these suggestions, which come from what is not the best and soundest part of our nature, and that we should form to ourselves a way

of thinking more rational, more just, and more religious. Trade is not a limited thing; as if the objects of mutual demand and consumption could not stretch beyond the bounds of our jealousies. God has given the earth to the children of men, and He has undoubtedly, in giving it to them, given them what is abundantly sufficient for all their exigencies—not a scanty, but a most liberal provision for them all. The Author of our nature has written it strongly in that nature, and has promulgated the same law in His written word, that man shall eat his bread by his labour; and I am persuaded that no man, and no combination of men, for their own ideas or their particular profit, can, without great impiety, undertake to say that he *shall not* do so; that they have no sort of right either to prevent the labour, or to withhold the bread. (Ireland having received no *compensation*, directly or indirectly, for any restraints on their trade, ought not, in justice or common honesty, to be made subject to such restraints.) I do not mean to impeach the right of the Parliament of Great Britain to make laws for the trade of Ireland. I only speak of what laws it is right for Parliament to make.)

It is nothing to an oppressed people to say that in part they are protected at our charge. The military force which shall be kept up in order to cramp the natural faculties of a people, and to prevent their arrival to their utmost prosperity, is the instrument of

their servitude, not the means of their protection. To protect men, is to forward, and not to restrain, their improvement. Else what is it more than to avow to them and to the world that you guard them from others only to make them a prey to yourself? This fundamental nature of protection does not belong to free, but to all governments; and is as valid in Turkey as in Great Britain. (No government ought to own that it exists for the purpose of checking the prosperity of its people, or that there is such a principle involved in its policy.)

Under the impression of these sentiments (and not as wanting every attention to my constituents which affection and gratitude could inspire), I voted for these bills which give you so much trouble. I voted for them, not as doing complete justice to Ireland, but as being something less unjust than the general prohibition which has hitherto prevailed. I hear some discourse as if in one or two paltry duties on materials Ireland had a preference; and that those who set themselves against this act of scanty justice assert that they are only contending for an *equality*. What equality? (Do they forget that the whole woollen manufacture of Ireland, the most extensive and profitable of any, and the natural staple of that kingdom, has been in a manner so destroyed by restrictive laws of ours, and (at our persuasion, and on our promises) by restrictive laws of *their own*, that in a few years, it

is probable, they will not be able to wear a coat of their own fabric?) Is this equality? Do gentlemen forget that the understood faith upon which they were persuaded to such an unnatural act has not been kept, and that a linen-manufacture has been set up and highly encouraged against them? Is this equality? Do they forget the state of the trade of Ireland in beer —so great an article of consumption—and which now stands in so mischievous a position with regard to their revenue, their manufacture, and their agriculture? Do they find any equality in all this? Yet, if the least step is taken towards doing them common justice in the slightest article for the most limited markets, a cry is raised as if we were going to be ruined by partiality to Ireland.

Gentlemen, I know that the deficiency in these arguments is made up (not by you, but by others) by the usual resource on such occasions—the confidence in military force and superior power. But that ground of confidence, which at no time was perfectly just, or the avowal of it tolerably decent, is at this time very unseasonable. Late experience has shown that it cannot be altogether relied upon; and many, if not all of our present difficulties, have arisen from putting our trust in what may very possibly fail, and if it should fail, leaves those who are hurt by such a reliance without pity. Whereas honesty and justice, reason and equity, go a very great way in securing prosperity to those who use them; and, in case of

failure, secure the best retreat, and the most honourable consolations.

It is very unfortunate that we should consider those as rivals whom we ought to regard as fellow-labourers in a common cause. Ireland has never made a single step in its progress towards prosperity by which you have not had a share, and perhaps the greatest share, in the benefit. That progress has been chiefly owing to her own natural advantages and her own efforts, which, after a long time, and by slow degrees, have prevailed in some measure over the mischievous systems which have been adopted. Far enough she is still from having arrived even at an ordinary state of perfection, and if our jealousies were to be converted into politics as systematically as some would have them, the trade of Ireland would vanish out of the system of commerce. But, believe me, if Ireland is beneficial to you, it is so not from the parts in which it is restrained, but from those in which it is left free, though not left unrivalled. The greater its freedom the greater must be your advantage. If you should lose in one way, you will gain in twenty.

Whilst I remain under this unalterable and powerful conviction, you will not wonder at the *decided* part I take. It is my custom so to do when I see my way clearly before me, and when I know that I am not misled by any passion or any personal interest, as in this case I am very sure I am not. I find that disagreeable things are circulated among my constituents,

and I wish my sentiments, which form my justification, may be equally general with the circulation against me. I have the honour to be, with the greatest regard and esteem, Gentlemen, your most obedient and humble servant,

E. B.

WESTMINSTER, *May* 2, 1778.

V

MR. BURKE'S SPEECH at the GUILDHALL, in BRISTOL, PREVIOUS TO THE LATE ELECTION IN THAT CITY, UPON CERTAIN POINTS RELATIVE TO HIS PARLIAMENTARY CONDUCT. 1780.

MR. MAYOR AND GENTLEMEN,

I AM extremely pleased at the appearance of this large and respectable meeting. The steps I may be obliged to take will want the sanction of a considerable authority; and in explaining any thing which may appear doubtful in my public conduct, I must naturally desire a very full audience.

I have been backward to begin my canvass. The dissolution of the Parliament was uncertain; and it did not become me, by an unseasonable importunity, to appear diffident of the fact of my six years' endeavours to please you. I have served the city of Bristol honourably; and the city of Bristol had no reason to think that the means of honourable service to the public were become indifferent to me.

I found on my arrival here that three gentlemen had been long in eager pursuit of an object which but

two of us can obtain. I found that they had all met with encouragement. A contested election, in such a city as this, is no light thing. I paused on the brink of the precipice. These three gentlemen, by various merits and on various titles, I made no doubt were worthy of your favour. I shall never attempt to raise myself by depreciating the merits of my competitors. In the complexity and confusion of these cross pursuits, I wished to take the authentic public sense of my friends upon a business of so much delicacy. I wished to take your opinion along with me; that if I should give up the contest at the very beginning, my surrender of my post may not seem the effect of inconstancy, or timidity, or anger, or disgust, or indolence, or any other temper unbecoming a man who has engaged in the public service. If, on the contrary, I should undertake the election, and fail of success, I was full as anxious that it should be manifest to the whole world, that the peace of the city had not been broken by my rashness, presumption, or fond conceit of my own merit.

I am not come by a false and counterfeit show of deference to your judgment, to seduce it in my favour. I ask it seriously and unaffectedly. If you wish that I should retire, I shall not consider that advice as a censure upon my conduct, or an alteration in your sentiments, but as a rational submission to the circumstances of affairs. If, on the contrary, you should think it proper for me to proceed on my

canvass, if you will risk the trouble on your part, I will risk it on mine. My pretensions are such as you cannot be ashamed of, whether they succeed or fail.

If you call upon me, I shall solicit the favour of the city upon manly ground. I come before you with the plain confidence of an honest servant in the equity of a candid and discerning master. I come to claim your approbation,—not to amuse you with vain apologies, or with professions still more vain and senseless. I have lived too long to be served by apologies, or to stand in need of them. The part I have acted has been in open day; and to hold out to a conduct which stands in that clear and steady light for all its good and all its evil,—to hold out to that conduct the paltry winking tapers of excuses and promises—I never will do it. They may obscure it with their smoke; but they never can illumine sunshine by such a flame as theirs.

I am sensible that no endeavours have been left untried to injure me in your opinion. But the use of character is to be a shield against calumny. I could wish, undoubtedly (if idle wishes were not the most idle of all things), to make every part of my conduct agreeable to every one of my constituents. But in so great a city, and so greatly divided as this, it is weak to expect it.

In such a discordancy of sentiments, it is better to look to the nature of things than to the humours of

men. The very attempt towards pleasing everybody discovers a temper always flashy, and often false and insincere. Therefore, as I have proceeded straight onward in my conduct, so I will proceed in my account of those parts of it which have been most excepted to. But I must first beg leave just to hint to you that we may suffer very great detriment by being open to every talker. It is not to be imagined how much of service is lost from spirits full of activity and full of energy, who are pressing, who are rushing forward, to great and capital objects, when you oblige them to be continually looking back. Whilst they are defending one service, they defraud you of a hundred. Applaud us when we run; console us when we fall; cheer us when we recover; but let us pass on—for God's sake, let us pass on.

Do you think, gentlemen, that every public act in the six years since I stood in this place before you—that all the arduous things which have been done in this eventful period, which has crowded into a few years' space the revolutions of an age, can be opened to you on their fair grounds in half an hour's conversation.

But it is no reason, because there is a bad mode of inquiry, that there should be no examination at all. Most certainly it is our duty to examine; it is our interest too. But it must be with discretion; with an attention to all the circumstances, and to all the motives: like sound judges, and not like cavilling

pettifoggers and quibbling pleaders, prying into flaws and hunting for exceptions. Look, gentlemen, to the *whole tenor* of your member's conduct. Try whether his ambition or his avarice have justled him out of the straight line of duty; or whether that grand foe of the offices of active life, that master-vice in men of business, a degenerate and inglorious sloth, has made him flag and languish in his course? This is the object of our inquiry. If our member's conduct can bear this touch, mark it for sterling. He may have fallen into errors; he must have faults; but our error is greater, and our fault is radically ruinous to ourselves, if we do not bear, if we do not even applaud, the whole compound and mixed mass of such a character. Not to act thus is folly; I had almost said it is impiety. He censures God, who quarrels with the imperfections of man.

Gentlemen, we must not be peevish with those who serve the people. For none will serve us whilst there is a court to serve, but those who are of a nice and jealous honour. They who think everything, in comparison of that honour, to be dust and ashes, will not bear to have it soiled and impaired by those for whose sake they make a thousand sacrifices to preserve it immaculate and whole. We shall either drive such men from the public stage, or we shall send them to the court for protection: where, if they must sacrifice their reputation, they will at least secure their interest. Depend upon it, that the lovers of freedom will be free.

None will violate their conscience to please us, in order afterwards to discharge that conscience, which have violated, by doing us faithful and affectionate service. If we degrade and deprave their minds by servility, it will be absurd to expect that they who are creeping and abject towards us, will ever be bold and incorruptible assertors of our freedom, against the most seducing and the most formidable of all powers. No! human nature is not so formed; nor shall we improve the faculties or better the morals of public men by our possession of the most infallible receipt in the world for making cheats and hypocrites.

Let me say with plainness, I who am no longer in a public character, that if by a fair, by an indulgent, by a gentlemanly behaviour to our representatives, we do not give confidence to their minds and a liberal scope to their understandings; if we do not permit our members to act upon a *very* enlarged view of things; we shall at length infallibly degrade our national representation into a confused and scuffling bustle of local agency. When the popular member is narrowed in his ideas and rendered timid in his proceedings, the service of the crown will be the sole nursery of statesmen. Among the frolics of the court it may at length take that of attending to its business. Then the monopoly of mental power will be added to the power of all other kinds it possesses. On the side of the people there will be nothing but impotence: for ignorance is impotence; narrowness of mind is impotence;

timidity is itself impotence, and makes all other qualities that go along with it, impotent and useless.

At present it is the plan of the court to make its servants insignificant. If the people should fall into the same humour, and should choose their servants on the same principles of mere obsequiousness, and flexibility, and total vacancy or indifference of opinion in all public matters, then no part of the State will be sound; and it will be in vain to think of saving it.

I thought it very expedient at this time to give you this candid counsel; and with this counsel I would willingly close, if the matters which at various times have been objected to me in this city concerned only myself and my own election. These charges I think, are four in number;—my neglect of a due attention to my constituents, the not paying more frequent visits here;—my conduct on the affairs of the first Irish trade acts;—my opinion and mode of proceeding on Lord Beauchamp's debtors bills;—and my votes on the late affairs of the Roman Catholics. All of these (except perhaps the first) relate to matters of very considerable public concern; and it is not lest you should censure me improperly, but lest you should form improper opinions on matters of some moment to you, that I trouble you at all upon the subject. My conduct is of small importance.

With regard to the first charge, my friends have spoken to me of it in the style of amicable expostulation; not so much blaming the thing, as lamenting the effects. Others, less partial to me, were less kind in

assigning the motives. I admit there is a decorum and propriety in a member of Parliament's paying a respectful court to his constituents. If I were conscious to myself that pleasure or dissipation, or low unworthy occupations, had detained me from personal attendance on you, I would readily admit my fault and quietly submit to the penalty. But, gentlemen, I live at a hundred miles distance from Bristol; and at the end of a session I come to my own house, fatigued in body and in mind, to a little repose, and to a very little attention to my family and my private concerns. A visit to Bristol is always a sort of canvass; else it will do more harm than good. To pass from the toils of a session to the toils of a canvass, is the farthest thing in the world from repose. I could hardly serve you *as I have done*, and court you too. Most of you have heard that I do not very remarkably spare myself in *public* business; and in the *private* business of my constituents I have done very nearly as much as those who have nothing else to do. My canvass of you was not on the 'change, nor in the county meetings, nor in the clubs of this city: It was in the House of Commons; it was at the Custom-house; it was at the Council; it was at the Treasury; it was at the Admiralty. I canvassed you through your affairs, and not your persons. I was not only your representative as a body; I was the agent, the solicitor of individuals; I ran about wherever your affairs could call me; and in acting for you I often

appeared rather as a ship broker, than as a Member of Parliament. There was nothing too laborious, or too low for me to undertake. The meanness of the business was raised by the dignity of the object. If some lesser matters have slipped through my fingers it was because I filled my hands too full; and, in my eagerness to serve you, took in more than any hands could grasp. Several gentlemen stand round me who are my willing witnesses; and there are others who, if they were here, would be still better; because they would be unwilling witnesses to the same truth. It was in the middle of a summer residence in London, and in the middle of a negotiation at the Admiralty for your trade, that I was called to Bristol; and this late visit, at this late day, has been possibly in prejudice to your affairs.

Since I have touched upon this matter, let me say, gentlemen, that if I had a disposition, or a right to complain, I have some cause of complaint on my side. With a petition of this city in my hand, passed through the corporation without a dissenting voice—a petition in unison with almost the whole voice of the kingdom (with whose formal thanks I was covered over)—while I laboured on no less than five bills for a public reform, and fought against the opposition, of great abilities and of the greatest power, every clause and every word of the largest of those bills, almost to the very last day of a very long session;—all this time a canvass in Bristol was as calmly carried on as if I

were dead. I was considered as a man wholly out of the question. Whilst I watched, and fasted, and sweated in the House of Commons—by the most easy and ordinary arts of election, by dinners and visits, by "How do you do's," and "My worthy friends," I was to be quietly moved out of my seat—and promises were made, and engagements entered into, without any exception or reserve, as if my laborious zeal in my duty had been a regular abdication of my trust.

To open my whole heart to you on this subject, I do confess, however, that there were other times besides the two years in which I did visit you when I was not wholly without leisure for repeating that mark of my respect. But I could not bring my mind to see you. You remember that, in the beginning of this American war (that era of calamity, disgrace, and downfall, an era which no feeling mind will ever mention without a tear for England), you were greatly divided; and a very strong body, if not the strongest, opposed itself to the madness which every art and every power were employed to render popular in order that the errors of the rulers might be lost in the general blindness of the nation. This opposition continued until after our great but most unfortunate victory at Long Island. Then all the mounds and banks of our constancy were borne down at once; and the frenzy of the American war broke in upon us like a deluge. This victory, which seemed to put an immediate end to all difficulties, perfected us in that

spirit of domination which our unparalleled prosperity had but too long nurtured. We had been so very powerful and so very prosperous, that even the humblest of us were degraded into the vices and follies of kings. We lost all measure between means and ends; and our headlong desires became our politics and our morals. All men who wished for peace, or retained any sentiments of moderation, were overborne or silenced; and this city was led by every artifice (and probably with the more management because I was one of your members) to distinguish itself by its zeal for that fatal cause. In this temper of your and of my mind, I should have sooner fled to the extremities of the earth than have shown myself here. I, who saw in every American victory (for you have had a long series of these misfortunes) the germ and seed of the naval power of France and Spain, which all our heat and warmth against America was only hatching into life,—I should not have been a welcome visitant with the brow and the language of such feelings. When, afterwards, the other face of your calamity was turned upon you, and showed itself in defeat and distress, I shunned you full as much. I felt sorely this variety in our wretchedness; and I did not wish to have the least appearance of insulting you with that show of superiority which, though it may not be assumed, is generally suspected in a time of calamity, from those whose previous warnings have been despised. I could not bear to show you a representative

whose face did not reflect that of his constituents; a face that could not joy in your joys and sorrow in your sorrows. But time at length has made us all of one opinion; and we have all opened our eyes on the true nature of the American war, to the true nature of all its successes and all its failures.

In that public storm too I had my private feelings. I had seen blown down and prostrate on the ground several of those houses to whom I was chiefly indebted for the honour this city has done me. I confess that, whilst the wounds of those I loved were yet green, I could not bear to show myself in pride and triumph in that place into which their partiality had brought me, and to appear at feasts and rejoicings in the midst of the grief and calamity of my warm friends, my zealous supporters, my generous benefactors. This is a true, unvarnished, undisguised state of the affair. You will judge of it.

This is the only one of the charges in which I am personally concerned. As to the other matters objected against me, which in their turn I shall mention to you, remember once more I do not mean to extenuate or excuse. Why should I, when the things charged are among those upon which I found all my reputation? What would be left to me, if I myself was the man, who softened, and blended, and diluted, and weakened, all the distinguishing colours of my life, so as to leave nothing distinct and determinate in my whole conduct?

It has been said, and it is the second charge, that in the questions of the Irish trade I did not consult the interest of my constituents; or, to speak out strongly, that I rather acted as a native of Ireland than as an English member of Parliament.

I certainly have very warm good wishes for the place of my birth. But the sphere of my duties is my true country. It was, as a man attached to your interests, and zealous for the conservation of your power and dignity, that I acted on that occasion, and on all occasions. You were involved in the American war. A new world of policy was opened, to which it was necessary we should conform, whether we would or not; and my only thought was how to conform to our situation in such a manner as to unite to this kingdom, in prosperity and in affection, whatever remained of the empire. I was true to my old, standing, invariable principle, that all things which came from Great Britain should issue as a gift of her bounty and beneficence, rather than as claims recovered against a struggling litigant; or, at least, that if your beneficence obtained no credit in your concessions, yet that they should appear the salutary provisions of your wisdom and foresight; not as things wrung from you with your blood by the cruel gripe of a rigid necessity. The first concessions, by being (much against my will) mangled and stripped of the parts which were necessary to make out their just correspondence and connection in trade, were of no

use. The next year a feeble attempt was made to bring the thing into better shape. This attempt (countenanced by the minister) on the very first appearance of some popular uneasiness, was, after a considerable progress through the House, thrown out by *him*.[1]

What was the consequence? The whole kingdom of Ireland was instantly in a flame. Threatened by foreigners, and, as they thought, insulted by England, they resolved at once to resist the power of France, and to cast off yours. As for us, we were able neither to protect nor to restrain them. Forty thousand men were raised and disciplined without commission from the Crown. Two illegal armies were seen with banners displayed at the same time and in the same country. No executive magistrate, no judicature in Ireland would acknowledge the legality of the army which bore the king's commission; and no law, or appearance of law, authorised the army commissioned by itself. In this unexampled state of things, which the least error, the least trespass on the right or left, would have hurried down the precipice into an abyss of blood and confusion, the people of Ireland demand a freedom of trade with arms in their hands. They interdict all commerce between the two nations. They deny all new supply in the House of Commons, although in time of war. They stint the trust of the old revenue, given for two years to all the king's predecessors, to six months. The British Parlia-

[1] See note prefixed to *Two Letters to Gentlemen in Bristol.*

ment, in a former session, frightened into a limited concession by the menaces of Ireland, frightened out of it by the menaces of England, were now frightened back again, and made a universal surrender of all that had been thought the peculiar, reserved, uncommunicable rights of England:—the exclusive commerce of America, of Africa, of the West Indies—all the enumerations of the acts of navigation—all the manufactures—iron, glass, even the last pledge of jealousy and pride, the interest hid in the secret of our hearts, the inveterate prejudice moulded into the constitution of our frame, even the sacred fleece itself—all went together.[1] No reserve; no exception; no debate; no discussion. A sudden light broke in upon us all. It broke in, not through well-contrived and well-disposed windows, but through flaws and breaches; through the yawning chasms of our ruin. We were taught wisdom by humiliation. No town in England presumed to have a prejudice, or dared to mutter a petition. What was worse, the whole Parliament of England, which retained authority for nothing but surrenders, was despoiled of every shadow of its superintendence. It was, without any qualification, denied in theory, as it had been trampled upon in practice. This scene of shame and disgrace has, in a manner, whilst I am speaking, ended by the perpetual establishment of a military power in the dominions of this Crown, without consent of the British Legislature,[2] contrary to the

[1] In 1779. [2] Irish Perpetual Mutiny Act.

policy of the Constitution, contrary to the declaration of right: and by this your liberties are swept away along with your supreme authority—and both linked together from the beginning, have, I am afraid, both together perished for ever.

What! gentlemen, was I not to foresee, or foreseeing, was I not to endeavour to save you from all these multiplied mischiefs and disgraces? Would the little, silly, canvass prattle of obeying instructions, and having no opinions but yours, and such idle senseless tales, which amuse the vacant ears of unthinking men, have saved you from "the pelting of that pitiless storm," to which the loose improvidence, the cowardly rashness, of those who dare not look danger in the face, so as to provide against it in time, and therefore throw themselves headlong into the midst of it, have exposed this degraded nation, beaten down and prostrate on the earth, unsheltered, unarmed, unresisting? Was I an Irishman on that day, that I boldly withstood our pride? or on the day that I hung down my head, and wept in shame and silence over the humiliation of Great Britain? I became unpopular in England for the one, and in Ireland for the other. What then? What obligation lay on me to be popular? I was bound to serve both kingdoms. To be pleased with my service was their affair, not mine.

I was an Irishman in the Irish business, just as much as I was an American when, on the same principles, I wished you to concede to America at a time

when she prayed concession at our feet. Just as much was I an American when I wished Parliament to offer terms in victory, and not to wait the well-chosen hour of defeat, for making good by weakness and by supplication a claim of prerogative, pre-eminence, and authority.

Instead of requiring it from me, as a point of duty, to kindle with your passions, had you all been as cool as I was, you would have been saved from disgraces and distresses that are unutterable. Do you remember our commission? We sent out a solemn embassy across the Atlantic Ocean, to lay the Crown, the Peerage, the Commons of Great Britain, at the feet of the American Congress. That our disgrace might want no sort of brightening and burnishing, observe who they were that composed this famous embassy! My Lord Carlisle is among the first ranks of our nobility. He is the identical man who, but two years before, had been put forward at the opening of a session in the House of Lords as the mover of a haughty and rigorous address against America. He was put in the front of the embassy of submission. Mr. Eden was taken from the office of Lord Suffolk, to whom he was then Under Secretary of State; from the office of that Lord Suffolk who, but a few weeks before, in his place in Parliament did not deign to inquire where a congress of vagrants was to be found. This Lord Suffolk sent Mr. Eden to find these vagrants, without knowing where this king's generals were to be found, who were joined in the

same commission of supplicating those whom they were sent to subdue. They enter the capital of America only to abandon it; and these assertors and representatives of the dignity of England, at the tail of a flying army, let fly their Parthian shafts of memorials and remonstrances at random behind them. Their promises and their offers, their flatteries and their menaces, were all despised; and we were saved from the disgrace of their formal reception, only because the congress scorned to receive them; whilst the state-house of independent Philadelphia opened her doors to the public entry of the ambassador of France. From war and blood we went to submission; and from submission plunged back again to war and blood—to desolate and be desolated, without measure, hope, or end. I am a Royalist; I blushed for this degradation of the Crown. I am a Whig; I blushed for the dishonour of Parliament. I am a true Englishman; I felt to the quick for the disgrace of England. I am a man; I felt for the melancholy reverse of human affairs in the fall of the first power in the world.

To read what was approaching in Ireland, in the black and bloody characters of the American war, was a painful, but it was a necessary part of my public duty. For, gentlemen, it is not your fond desires or mine that can alter the nature of things; by contending against which, what have we got, or shall ever get, but defeat and shame? I did not obey your instructions: No. I conformed to the instructions of truth

and nature, and maintained your interest, against your opinions, with a constancy that became me. A representative worthy of you ought to be a person of stability. I am to look, indeed, to your opinions; but to such opinions as you and I *must* have five years hence. I was not to look to the flash of the day. I knew that you chose me, in my place, along with others, to be a pillar of the State, and not a weathercock on the top of the edifice, exalted for my levity and versatility, and of no use but to indicate the shiftings of every fashionable gale. Would to God the value of my sentiments on Ireland and on America had been at this day a subject of doubt and discussion! No matter what my sufferings had been, so that this kingdom had kept the authority I wished it to maintain, by a grave foresight, and by an equitable temperance in the use of its power.

The next article of charge on my public conduct, and that which I find rather the most prevalent of all is Lord Beauchamp's Bill. I mean his Bill of last session, for reforming the law-process concerning imprisonment. It is said, to aggravate the offence, that I treated the petition of this city with contempt even in presenting it to the House, and expressed myself in terms of marked disrespect. Had this latter part of the charge been true, no merits on the side of the question which I took could possibly excuse me. But I am incapable of treating this city with disrespect. Very fortunately

at this minute (if my bad eyesight does not deceive me) the worthy [1] gentleman deputed on this business stands directly before me. To him I appeal whether I did not, though it militated with my oldest and my most recent public opinions, deliver the petition with a strong and more than usual recommendation to the consideration of the House on account of the character and consequence of those who signed it. I believe the worthy gentleman will tell you that the very day I received it I applied to the Solicitor—now the Attorney-General—to give it an immediate consideration, and he most obligingly and instantly consented to employ a great deal of his very valuable time to write an explanation of the Bill. I attended the committee with all possible care and diligence, in order that every objection of yours might meet with a solution, or produce an alteration. I entreated your learned recorder (always ready in business in which you take a concern) to attend. But what will you say to those who blame me for supporting Lord Beauchamp's Bill, as a disrespectful treatment of your petition, when you hear that out of respect to you I myself was the cause of the loss of that very Bill? For the noble lord who brought it in, and who, I must say, has much merit for this and some other measures, at my request consented to put it off for a week, which the Speaker's illness lengthened to a fortnight; and then the frantic tumult about Popery drove that and

[1] Mr. Williams.

every rational business from the House. So that if I chose to make a defence of myself on the little principles of a culprit pleading in his exculpation, I might not only secure my acquittal, but make merit with the opposers of the Bill. But I shall do no such thing. The truth is that I did occasion the loss of the Bill, and by a delay caused by my respect to you. But such an event was never in my contemplation. And I am so far from taking credit for the defeat of that measure, that I cannot sufficiently lament my misfortune if but one man, who ought to be at large, has passed a year in prison by my means. I am a debtor to the debtors. I confess judgment. I owe what, if ever it be in my power, I shall most certainly pay,—ample atonement and usurious amends to liberty and humanity for my unhappy lapse. For, gentlemen, Lord Beauchamp's Bill was a law of justice and policy as far as it went—I say as far as it went, for its fault was its being in the remedial part miserably defective.

There are two capital faults in our law with relation to civil debts. One is that every man is presumed solvent—a presumption, in innumerable cases, directly against truth. Therefore, the debtor is ordered, on a supposition of ability and fraud, to be coerced his liberty until he makes payment. By this means, in all cases of civil insolvency, without a pardon from his creditor, he is to be imprisoned for life—and thus a miserable mistaken invention of artificial science operates to change a civil into a criminal judgment, and

to scourge misfortune or indiscretion with a punishment which the law does not inflict on the greatest crimes.

The next fault is, that the inflicting of that punishment is not on the opinion of an equal and public judge; but is referred to the arbitrary discretion of a private, nay interested, and irritated, individual. He who formally is, and substantially ought to be, the judge, is in reality no more than ministerial, a mere executive instrument of a private man, who is at once judge and party. Every idea of judicial order is subverted by this procedure. If the insolvency be no crime, why is it punished with arbitrary imprisonment? If it be a crime, why is it delivered into private hands to pardon without discretion, or to punish without mercy and without measure?

To these faults—gross and cruel facts in our law—the excellent principle of Lord Beauchamp's Bill applied some sort of remedy. I know that credit must be preserved; but equity must be preserved too; and it is impossible that anything should be necessary to commerce, which is inconsistent with justice. The principle of credit was not weakened by that Bill. God forbid! The enforcement of that credit was only put into the same public judicial hands on which we depend for our lives, and all that makes life dear to us. But, indeed, this business was taken up too warmly both here and elsewhere. The Bill was extremely mistaken. It was supposed to enact what

it never enacted, and complaints were made of clauses in it as novelties, which existed before the noble lord that brought in the Bill was born. There was a fallacy that ran through the whole of the objections. The gentlemen who opposed the Bill always argued as if the option lay between that Bill and the ancient law. But this is a grand mistake. For, practically, the option is between, not that Bill and the old law, but between that Bill and those occasional laws, called acts of grace. For the operation of the old law is so savage, and so inconvenient to society, that for a long time past, once in every Parliament, and lately twice, the legislature has been obliged to make a general arbitrary jail-delivery, and at once to set open, by its sovereign authority, all the prisons in England.

Gentlemen, I never relished acts of grace ; nor ever submitted to them but from despair of better. They are a dishonourable invention, by which, not from humanity, not from policy, but merely because we have not room enough to hold these victims of the absurdity of our laws, we turn loose upon the public three or four thousand naked wretches, corrupted by habits, debased by the ignominy of a prison. If the creditor had a right to those carcases as a natural security for his property, I am sure we have no right to deprive him of that security. But if the few pounds of flesh were not necessary to his security, we had not a right to detain the unfortunate debtor without any benefit at all to the person who confined him. Take

it as you will, we commit injustice. Now Lord Beauchamp's Bill intended to do deliberately and with great caution and circumspection, upon each several case, and with all attention to the just claimant, what acts of grace do in a much greater measure, and with very little care, caution, or deliberation.

I suspect that here too, if we contrive to oppose this Bill, we shall be found in a struggle against the nature of things. For as we grow enlightened, the public will not bear, for any length of time, to pay for the maintenance of whole armies of prisoners, nor—at their own expense—submit to keep jails as a sort of garrisons, merely to fortify the absurd principle of making men judges in their own cause. For credit has little or no concern in this cruelty. I speak in a commercial assembly. You know that credit is given, because capital *must* be employed; that men calculate the chances of insolvency; and they either withhold the credit, or make the debtor pay the risk in the price. The counting-house has no alliance with the jail. Holland understands trade as well as we, and she has done much more than this obnoxious Bill intended to do. There was not, when Mr. Howard visited Holland, more than one prisoner for debt in the great city of Rotterdam. Although Lord Beauchamp's Act (which was previous to this Bill, and intended to feel the way for it) has already preserved liberty to thousands, and though it is not three years since the last Act of grace passed, yet, by Mr. Howard's last

account, there were near three thousand again in jail. I cannot name this gentleman without remarking that his labours and writings have done much to open the eyes and hearts of mankind. He has visited all Europe;—not to survey the sumptuousness of palaces, or the stateliness of temples; not to make accurate measurements of the remains of ancient grandeur, nor to form a scale of the curiosity of modern art; not to collect medals, or collate manuscripts, but to dive into the depths of dungeons; to plunge into the infection of hospitals; to survey the mansions of sorrow and pain; to take the gauge and dimensions of misery, depression, and contempt; to remember the forgotten, to attend to the neglected, to visit the forsaken; and to compare and collate the distresses of all men in all countries. His plan is original; and it is as full of genius as it is of humanity. It was a voyage of discovery; a circumnavigation of charity. Already the benefit of his labour is felt more or less in every country. I hope he will anticipate his final reward by seeing all its effects fully realised in his own. He will receive—not by detail, but in gross—the reward of those who visit the prisoner; and he has so forestalled and monopolised this branch of charity that there will be, I trust, little room to merit by such acts of benevolence hereafter.

Nothing now remains to trouble you with but the fourth charge against me—the business of the Roman Catholics. It is a business closely connected with the rest. They are all on one and the same principle.

My little scheme of conduct, such as it is, is all arranged. I could do nothing but what I have done on this subject without confounding the whole train of my ideas, and disturbing the whole order of my life. Gentlemen, I ought to apologise to you for seeming to think anything at all necessary to be said upon this matter. The calumny is fitter to be scrawled with the midnight chalk of incendiaries, with "No popery" on walls and doors of devoted houses, than to be mentioned in any civilised company. I had heard that the spirit of discontent on that subject was very prevalent here. With pleasure I find that I have been grossly misinformed. If it exists at all in this city, the laws have crushed its exertions, and our morals have shamed its appearance in daylight. I have pursued this spirit wherever I could trace it, but it still fled from me. It was a ghost which all had heard of, but none had seen. None would acknowledge that he thought the public proceeding with regard to our Catholic dissenters to be blameable, but several were sorry it had made an ill impression upon others, and that my interest was hurt by my share in the business. I find with satisfaction and pride that not above four or five in this city (and I dare say these misled by some gross misrepresentation) have signed that symbol of delusion and bond of sedition—that libel on the national religion and English character—the Protestant Association. It is therefore, gentlemen, not by way of cure but of prevention, and lest the arts of

wicked men may prevail over the integrity of any one amongst us, that I think it necessary to open to you the merits of this transaction pretty much at large, and I beg your patience upon it; for, although the reasonings that have been used to depreciate the act are of little force, and though the authority of the men concerned in this ill design is not very imposing, yet the audaciousness of these conspirators against the national honour, and the extensive wickedness of their attempts, have raised persons of little importance to a degree of evil eminence, and imparted a sort of sinister dignity to proceedings that had their origin in only the meanest and blindest malice.

In explaining to you the proceedings of Parliament which have been complained of, I will state to you,—first, the thing that was done;—next, the person who did it;—and lastly, the grounds and reasons upon which the legislature proceeded in this deliberate act of public justice and public prudence.

Gentlemen, the condition of our nature is such, that we buy our blessings at a price. The Reformation—one of the greatest periods of human improvement—was a time of trouble and confusion. The vast structure of superstition and tyranny, which had been for ages in rearing, and which was combined with the interest of the great and of the many, which was moulded into the laws, the manners, and civil institutions of nations, and blended with the frame and policy of states, could not be brought to the ground without

a fearful struggle; nor could it fall without a violent concussion of itself and all about it. When this great revolution was attempted in a more regular mode by Government, it was opposed by plots and seditions of the people; when by popular efforts, it was repressed as rebellion by the hand of power; and bloody executions (often bloodily returned) marked the whole of its progress through all its stages. The affairs of religion, which are no longer heard of in the tumult of our present contentions, made a principal ingredient in the wars and politics of that time; the enthusiasm of religion threw a gloom over the politics; and political interests poisoned and perverted the spirit of religion upon all sides. The Protestant religion in that violent struggle, infected, as the Popish had been before, by worldly interests and worldly passions, became a persecutor in its turn, sometimes of the new sects, which carried their own principles farther than it was convenient to the original reformers, and always of the body from whom they parted: and this persecuting spirit arose, not only from the bitterness of retaliation, but from the merciless policy of fear.

It was long before the spirit of true piety and true wisdom, involved in the principles of the Reformation, could be depurated from the dregs and feculence of the contention with which it was carried through. However, until this be done, the Reformation is not complete; and those who think themselves good Protestants from their animosity to others, are in that

respect no Protestants at all. It was at first thought necessary, perhaps, to oppose to Popery another Popery to get the better of it. Whatever was the cause, laws were made in many countries, and in this kingdom in particular, against Papists, which are as bloody as any of those which had been enacted by the popish princes and states; and where those laws were not bloody, in my opinion they were worse; as they were slow, cruel outrages on our nature, and kept men alive only to insult in their persons every one of the rights and feelings of humanity. I pass those statutes, because I would spare your pious ears the repetition of such shocking things; and I come to that particular law, the repeal of which has produced so many unnatural and unexpected consequences.

A statute was fabricated in the year 1699, by which the saying mass (a Church-service in the Latin tongue, not exactly the same as our liturgy, but very near it, and containing no offence whatsoever against the laws, or against good morals) was forged into a crime, punishable with perpetual imprisonment. The teaching school—a useful and virtuous occupation—even the teaching in a private family—was in every Catholic subjected to the same unproportioned punishment. Your industry, and the bread of your children, was taxed for a pecuniary reward to stimulate avarice to do what nature refused, to inform and prosecute on this law. Every Roman Catholic was, under the same Act, to forfeit his estate to his nearest Protestant rela-

tion, until, through a profession of what he did not believe, he redeemed by his hypocrisy what the law had transferred to the kinsman as the recompense of his profligacy. When thus turned out of doors from his paternal estate, he was disabled from acquiring any other by any industry, donation, or charity; but was rendered a foreigner in his native land, only because he retained the religion, along with the property, handed down to him from those who had been the old inhabitants of that land before him.

Does any one who hears me approve this scheme of things, or think there is common justice, common sense, or common honesty in any part of it? If any does, let him say it, and I am ready to discuss the point with temper and candour. But instead of approving, I perceive a virtuous indignation beginning to rise in your minds on the mere cold stating of the statute.

But what will you feel when you know from history how this statute passed, and what were the motives, and what the mode of making it? A party in this nation, enemies to the system of the Revolution, were in opposition to the government of King William. They knew that our glorious deliverer was an enemy to all persecution. They knew that he came to free us from slavery and popery, out of a country where a third of the people are contented Catholics under a Protestant government. He came with a part of his army composed of those very Catholics, to overset the

power of a popish prince. Such is the effect of a tolerating spirit: and so much is liberty served in every way, and by all persons, by a manly adherence to its own principles. Whilst freedom is true to itself, everything becomes subject to it; and its very adversaries are an instrument in its hands.

The party I speak of (like some amongst us who would disparage the best friends of their country) resolved to make the king either violate his principles of toleration, or incur the odium of protecting Papists. They therefore brought in this Bill, and made it purposely wicked and absurd, that it might be rejected. The then court-party, discovering their game, turned the tables on them, and returned their Bill to them stuffed with still greater absurdities, that its loss might lie upon its original authors. They, finding their own ball thrown back to them, kicked it back again to their adversaries. And thus this Act, loaded with the double injustice of two parties, neither of whom intended to pass what they hoped the other would be persuaded to reject, went through the legislature, contrary to the real wish of all parts of it, and of all the parties that composed it. In this manner these insolent and profligate factions, as if they were playing with balls and counters, made a sport of the fortunes and liberties of their fellow-creatures. Other acts of persecution have been acts of malice. This was a subversion of justice from wantonness and petulance. Look into the history of Bishop Burnet. He is a witness without exception.

The effects of the Act have been as mischievous as its origin was ludicrous and shameful. From that time every person of that communion, lay and ecclesiastic, has been obliged to fly from the face of day. The clergy, concealed in garrets in private houses, or obliged to take a shelter (hardly safe to themselves, but infinitely dangerous to their country) under the privileges of foreign ministers, officiated as their servants, and under their protection. The whole body of the Catholics, condemned to beggary and to ignorance in their native land, have been obliged to learn the principle of letters, at the hazard of all their other principles, from the charity of your enemies. They have been taxed to their ruin at the pleasure of necessitous and profligate relations, and according to the measure of their necessity and profligacy. Examples of this are many and affecting. Some of them are known by a friend who stands near me in this hall, It is but six or seven years since a clergyman of the name of Malony, a man of morals, neither guilty nor accused of anything noxious to the State, was condemned to perpetual imprisonment for exercising the functions of his religion; and after lying in jail two or three years, was relieved by the mercy of Government from perpetual imprisonment, on condition of perpetual banishment. A brother of the Earl of Shrewsbury, a Talbot,—a name respectable in this country, whilst its glory is any part of its concern—was hauled to the bar of the Old Bailey, among

common felons, and only escaped the same doom, either by some error in the process, or that the wretch who brought him there could not correctly describe his person,—I now forget which. In short, the persecution would never have relented for a moment, if the judges, superseding (though with an ambiguous example) the strict rule of their artificial duty by the higher obligation of their conscience, did not constantly throw every difficulty in the way of such informers. But so ineffectual is the power of legal evasion against legal iniquity, that it was but the other day that a lady of condition, beyond the middle of life, was on the point of being stripped of her whole fortune by a near relation, to whom she had been a friend and benefactor; and she must have been totally ruined, without a power of redress or mitigation from the courts of law, had not the legislature itself rushed in, and by a special Act of Parliament rescued her from the injustice of its own statutes. One of the Acts authorising such things was that which we in part repealed, knowing what our duty was, and doing that duty as men of honour and virtue, as good Protestants, and as good citizens. Let him stand forth that disapproves what we have done.

Gentlemen, bad laws are the worst sort of tyranny. In such a country as this they are of all bad things the worst,—worse by far than any where else; and they derive a particular malignity even from the wisdom and soundness of the rest of our institutions. For

very obvious reasons you cannot trust the Crown with a dispensing power over any of your laws. However, a government, be it as bad as it may, will, in the exercise of a discretionary power, discriminate times and persons, and will not ordinarily pursue any man when its own safety is not concerned. A mercenary informer knows no distinction. Under such a system, the obnoxious people are slaves, not only to the Government, but they live at the mercy of every individual; they are at once the slaves of the whole community, and of every part of it; and the worst and most unmerciful men are those on whose goodness they most depend.

In this situation men not only shrink from the frowns of a stern magistrate; but they are obliged to fly from their very species. The seeds of destruction are sown in civil intercourse, in social habitudes. The blood of wholesome kindred is infected. Their tables and beds are surrounded with snares. All the means given by Providence to make life safe and comfortable are perverted into instruments of terror and torment. This species of universal subserviency, that makes the very servant who waits behind your chair the arbiter of your life and fortune, has such a tendency to degrade and abase mankind, and to deprive them of that assured and liberal state of mind which alone can make us what we ought to be, that I vow to God I would sooner bring myself to put a man to immediate death for opinions I disliked, and so to get rid of the man and his opinions at once, than to fret him with a

feverish being, tainted with the jail-distemper of a contagious servitude, to keep him above ground—an animated mass of putrefaction, corrupted himself, and corrupting all about him.

The Act repealed was of this direct tendency; and it was made in the manner which I have related to you. I will now tell you by whom the Bill of repeal was brought into Parliament. I find it has been industriously given out in this city (from kindness to me, unquestionably) that I was the mover or the seconder. The fact is, I did not once open my lips on the subject during the whole progress of the Bill. I do not say this as disclaiming my share in that measure. Very far from it. I inform you of this fact, lest I should seem to arrogate to myself the merits which belong to others. To have been the man chosen out to redeem our fellow-citizens from slavery; to purify our laws from absurdity and injustice; and to cleanse our religion from the blot and stain of persecution, would be an honour and happiness to which my wishes would undoubtedly aspire; but to which nothing but my wishes could have possibly entitled me. That great work was in hands in every respect far better qualified than mine. The mover of the Bill was Sir George Savile.

When an act of great and signal humanity was to be done, and done with all the weight and authority that belonged to it, the world could cast its eyes upon none but him. I hope that few things which have a tend-

ency to bless or to adorn life have wholly escaped my observation in my passage through it. I have sought the acquaintance of that gentleman, and have seen him in all situations. He is a true genius; with an understanding vigorous and acute and refined, and distinguishing even to excess; and illuminated with a most unbounded, peculiar, and original cast of imagination. With these he possesses many external and instrumental advantages; and he makes use of them all. His fortune is among the largest—a fortune which, wholly unencumbered, as it is, with one single charge from luxury, vanity, or excess, sinks under the benevolence of its dispenser. This private benevolence, expanding itself into patriotism, renders his whole being the estate of the public, in which he has not reserved a *peculium* for himself of profit, diversion, or relaxation. During the session, the first in, and the last out of the House of Commons, he passes from the senate to the camp; and seldom seeing the seat of his ancestors, he is always in the senate to serve his country, or in the field to defend it. But in all well-wrought compositions, some particulars stand out more eminently than the rest; and the things which will carry his name to posterity are his two Bills; I mean that for a limitation of the claims of the Crown upon landed estates; and this for the relief of the Roman Catholics. By the former, he has emancipated property; by the latter he has quieted conscience; and by both he has taught that grand lesson to Government and

subject,—no longer to regard each other as adverse parties.

Such was the mover of the Act that is complained of by men who are not quite so good as he is—an Act, most assuredly not brought in by him from any partiality to the sect which is the object of it. For among his faults I really cannot help reckoning a greater degree of prejudice against that people than becomes so wise a man. I know that he inclines to a sort of disgust, mixed with a considerable degree of asperity, to the system; and he has few, or rather no habits with any of its professors. What he has done was on quite other motives. The motives were these, which he declared in his excellent speech on his motion for the Bill; namely, his extreme zeal to the Protestant religion, which he thought utterly disgraced by the Act of 1699; and his rooted hatred to all kind of oppression, under any colour, or upon any pretence whatsoever.

The seconder was worthy of the mover and of the motion. I was not the seconder; it was Mr. Dunning, Recorder of this city. I shall say the less of him because his near relation to you makes you more particularly acquainted with his merits. But I should appear little acquainted with them, or little sensible of them, if I could utter his name on this occasion without expressing my esteem for his character. I am not afraid of offending a most learned body, and most jealous of its reputation for that learning, when I say

he is the first of his profession. It is a point settled by those who settle everything else; and I must add (what I am enabled to say from my own long and close observation) that there is not a man, of any profession, or in any situation, of a more erect and independent spirit; of a more proud honour; a more manly mind; a more firm and determined integrity. Assure yourselves that the names of two such men will bear a great load of prejudice in the other scale before they can be entirely outweighed.

With this mover and this seconder agreed the *whole* House of Commons, the *whole* House of Lords, the *whole* bench of bishops, the king, the Ministry, the Opposition, all the distinguished clergy of the Establishment, all the eminent lights (for they were consulted) of the dissenting churches. This according voice of national wisdom ought to be listened to with reverence. To say that all these descriptions of Englishmen unanimously concurred in a scheme for introducing the Catholic religion, or that none of them understood the nature and effects of what they were doing so well as a few obscure clubs of people, whose names you never heard of, is shamelessly absurd. Surely it is paying a miserable compliment to the religion we profess, to suggest that everything eminent in the kingdom is indifferent, or even adverse to that religion, and that its security is wholly abandoned to the zeal of those who have nothing but their zeal to distinguish them. In weighing this unanimous con-

currence of whatever the nation has to boast of, I hope you will recollect that all these concurring parties do by no means love one another enough to agree in any point, which was not both evidently and importantly right.

To prove this; to prove that the measure was both clearly and materially proper, I will next lay before you (as I promised) the political grounds and reasons for the repeal of that penal statute; and the motives to its repeal at that particular time.

Gentlemen, America—— When the English nation seemed to be dangerously, if not irrecoverably divided; when one, and that the most growing branch, was torn from the parent stock, and engrafted on the power of France, a great terror fell upon this kingdom. On a sudden we awakened from our dreams of conquest, and saw ourselves threatened with an immediate invasion, which we were at that time very ill prepared to resist. You remember the cloud that gloomed over us all. In that hour of our dismay, from the bottom of the hiding-places into which the indiscriminate rigour of our statutes had driven them, came out the body of the Roman Catholics. They appeared before the steps of a tottering throne with one of the most sober, measured, steady, and dutiful addresses that was ever presented to the Crown. It was no holiday ceremony; no anniversary compliment of parade and show. It was signed by almost every gentleman of that persuasion of note or property in England. At such a crisis, nothing but a decided resolution to stand or fall with

their country could have dictated such an address; the direct tendency of which was to cut off all retreat, and to render them peculiarly obnoxious to an invader of their own communion. The address showed what I long languished to see—that all the subjects of England had cast off all foreign views and connections, and that every man looked for his relief from every grievance at the hands only of his own natural government.

It was necessary, on our part, that the natural government should show itself worthy of that name. It was necessary, at the crisis I speak of, that the supreme power of the State should meet the conciliatory dispositions of the subject. To delay protection would be to reject allegiance. And why should it be rejected, or even coldly and suspiciously received? If any independent Catholic state should choose to take part with this kingdom in a war with France and Spain, that bigot (if such a bigot could be found) would be heard with little respect; who could dream of objecting his religion to an ally, whom the nation would not only receive with its freest thanks, but purchase with the last remains of its exhausted treasure. To such an ally we should not dare to whisper a single syllable of those base and invidious topics, upon which some unhappy men would persuade the State to reject the duty and allegiance of its own members. Is it then because foreigners are in a condition to set our malice at defiance, that with *them* we are willing to contract engagements of friendship, and to keep them

with fidelity and honour; but that, because we conceive some descriptions of our countrymen are not powerful enough to punish our malignity, we will not permit them to support our common interest? Is it on that ground that our anger is to be kindled by their offered kindness? Is it on that ground that they are to be subjected to penalties, because they are willing, by actual merit, to purge themselves from imputed crimes? Lest, by an adherence to the cause of their country, they should acquire a title to fair and equitable treatment, are we resolved to furnish them with causes of eternal enmity; and rather supply them with just and founded motives to disaffection, than not to have that disaffection in existence to justify an oppression which, not from policy but disposition, we have predetermined to exercise?

What shadow of reason could be assigned why, at a time when the most Protestant part of this Protestant empire found for its advantage to unite with the two principal popish states, to unite itself in the closest bonds with France and Spain for our destruction, that we should refuse to unite with our own Catholic countrymen for our own preservation? Ought we, like madmen, to tear off the plasters that the lenient hand of prudence had spread over the wounds and gashes which in our delirium of ambition we had given to our own body? No person ever reprobated the American war more than I did, and do, and ever shall. But I never will consent that we should lay additional

voluntary penalties upon ourselves for a fault which carries but too much of its own punishment in its own nature. For one, I was delighted with the proposal of internal peace. I accepted the blessing with thankfulness and transport; I was truly happy to find *one* good effect of our civil distractions—that they had put an end to all religious strife and heartburning in our own bowels. What must be the sentiments of a man who would wish to perpetuate domestic hostility, when the causes of dispute are at an end; and who, crying out for peace with one part of the nation on the most humiliating terms, should deny it to those who offer friendship without any terms at all?

But if I was unable to reconcile such a denial to the contracted principles of local duty, what answer could I give to the broad claims of general humanity? I confess to you freely that the sufferings and distresses of the people of America in this cruel war have at times affected me more deeply than I can express. I felt every Gazette of triumph as a blow upon my heart, which has an hundred times sunk and fainted within me at all the mischiefs brought upon those who bear the whole brunt of war in the heart of their country. Yet the Americans are utter strangers to me—a nation among whom I am not sure that I have a single acquaintance. Was I to suffer my mind to be so unaccountably warped; was I to keep such iniquitous weights and measures of temper and of reason as to sympathise with those who are in

open rebellion against an authority which I respect, at war with a country which by every title ought to be, and is most dear to me; and yet to have no feeling at all for the hardships and indignities suffered by men who, by their very vicinity, are bound up in a nearer relation to us; who contribute their share, and more than their share, to the common prosperity; who perform the common offices of social life, and who obey the laws to the full as well as I do? Gentlemen, the danger to the State being out of the question (of which, let me tell you, statesmen themselves are apt to have but too exquisite a sense) I could assign no one reason of justice, policy, or feeling, for not concurring most cordially, as most cordially I did concur, in softening some part of that shameful servitude under which several of my worthy fellow-citizens were groaning.

Important effects followed this act of wisdom. They appeared at home and abroad, to the great benefit of this kingdom; and, let me hope, to the advantage of mankind at large. It betokened union among ourselves. It showed soundness, even on the part of the persecuted, which generally is the weak side of every community. But its most essential operation was not in England. The act was immediately, though very imperfectly, copied in Ireland; and this imperfect transcript of an imperfect act, this first faint sketch of toleration, which did little more than disclose a principle and mark out a disposition, completed in a most wonderful manner the re-union to the State of all the

Catholics of that country. It made us what we ought always to have been,—one family, one body, one heart and soul, against the family-combination, and all other combinations of our enemies. We have indeed obligations to that people, who received such small benefits with so much gratitude; and for which gratitude and attachment to us I am afraid they have suffered not a little in other places.

I dare say you have all heard of the privileges indulged to the Irish Catholics residing in Spain. You have likewise heard with what circumstances of severity they have been lately expelled from the seaports of that kingdom; driven into the inland cities; and there detained as a sort of prisoners of State. I have good reason to believe that it was the zeal to our Government and our cause (somewhat indiscreetly expressed in one of the addresses of the Catholics of Ireland) which has thus drawn down on their heads the indignation of the court of Madrid; to the inexpressible loss of several individuals, and in future, perhaps, to the great detriment of the whole of their body. Now that our people should be persecuted in Spain for their attachment to this country, and persecuted in this country for their supposed enmity to us, is such a jarring reconciliation of contradictory distresses,—is a thing at once so dreadful and ridiculous, that no malice short of diabolical would wish to continue any human creatures in such a situation. But honest men will not forget either their merit or their sufferings. There

are men (and many, I trust, there are) who, out of love to their country and their kind, would torture their invention to find excuses for the mistakes of their brethren; and who, to stifle dissension, would construe even doubtful appearances with the utmost favour: such men will never persuade themselves to be ingenious and refined in discovering disaffection and treason in the manifest, palpable signs of suffering loyalty. Persecution is so unnatural to them, that they gladly snatch the very first opportunity of laying aside all the tricks and devices of penal politics; and of returning home, after all their irksome and vexatious wanderings, to our natural family mansion, to the grand social principle that unites all men, in all descriptions, under the shadow of an equal and impartial justice.

Men of another sort—I mean the bigoted enemies to liberty—may perhaps in their politics make no account of the good or ill affection of the Catholics of England, who are but a handful of people (enough to torment but not enough to fear)—perhaps not so many, of both sexes and of all ages, as fifty thousand. But, gentlemen, it is possible you may not know that the people of that persuasion in Ireland amount at least to sixteen or seventeen hundred thousand souls. I do not at all exaggerate the number. A *nation* to be persecuted! Whilst we were masters of the sea, embodied with America, and in alliance with half the powers of the Continent, we might perhaps, in that

remote corner of Europe, afford to tyrannise with impunity. But there is a revolution in our affairs which makes it prudent to be just. In our late awkward contest with Ireland about trade, had religion been thrown in, to ferment and embitter the mass of discontents, the consequences might have been truly dreadful. But very happily, that cause of quarrel was previously quieted by the wisdom of the Acts I am commending.

Even in England, where I admit the danger from the discontent of that persuasion to be less than in Ireland; yet even here, had we listened to the counsels of fanaticism and folly, we might have wounded ourselves very deeply, and wounded ourselves in a very tender part. You are apprised that the Catholics of England consist mostly of our best manufacturers. Had the Legislature chosen, instead of returning their declarations of duty with correspondent goodwill, to drive them to despair, there is a country at their very door to which they would be invited—a country in all respects as good as ours, and with the finest cities in the world ready built to receive them. And thus the bigotry of a free country, and in an enlightened age, would have re-peopled the cities of Flanders, which, in the darkness of two hundred years ago, had been desolated by the superstition of a cruel tyrant. Our manufacturers were the growth of the persecutions in the Low Countries. What a spectacle would it be to Europe, to see us at this time of day, balancing the

account of tyranny with those very countries, and by our persecutions driving back trade and manufacture, as a sort of vagabonds, to their original settlement! But I trust we shall be saved this last of disgraces.

So far as to the effect of the Act on the interests of this nation. With regard to the interests of mankind at large, I am sure the benefit was very considerable. Long before this Act, indeed, the spirit of toleration began to gain ground in Europe. In Holland, the third part of the people are Catholics; they live at ease, and are a sound part of the State. In many parts of Germany, Protestants and Papists partake the same cities, the same councils, and even the same churches. The unbounded liberality of the King of Prussia's conduct on this occasion is known to all the world, and it is of a piece with the other grand maxims of his reign. The magnanimity of the imperial court, breaking through the narrow principles of its predecessors, has indulged its Protestant subjects, not only with property, with worship, with liberal education, but with honours and trusts, both civil and military. A worthy Protestant gentleman of this country now fills, and fills with credit, a high office in the Austrian Netherlands. Even the Lutheran obstinacy of Sweden has thawed at length, and opened a toleration to all religions. I know myself that in France the Protestants begin to be at rest. The army—which in that country is everything—is open to them; and some of the military rewards and decorations which the laws deny are

supplied by others, to make the service acceptable and honourable. The first minister of finance in that country is a Protestant. Two years' war without a tax is among the first-fruits of their liberality. Tarnished as the glory of this nation is, and as far as it has waded into the shades of an eclipse, some beams of its former illumination still play upon its surface; and what is done in England is still looked to as argument and as example. It is certainly true that no law of this country ever met with such universal applause abroad, or was so likely to produce the perfection of that tolerating spirit which, as I observed, has been long gaining ground in Europe; for abroad it was universally thought that we had done what, I am sorry to say, we had not—they thought we had granted a full toleration. That opinion was, however, so far from hurting the Protestant cause, that I declare, with the most serious solemnity, my firm belief that no one thing done for these fifty years past was so likely to prove deeply beneficial to our religion at large as Sir George Savile's Act. In its effects it was "an Act for tolerating and protecting Protestantism throughout Europe:" and I hope that those who were taking steps for the quiet and settlement of our Protestant brethren in other countries will even yet rather consider the steady equity of the greater and better part of the people of Great Britain, than the vanity and violence of a few.

I perceive, gentlemen, by the manner of all about me, that you look with horror on the wicked clamour

which has been raised on this subject; and that instead of an apology for what was done, you rather demand from me an account, why the execution of the scheme of toleration was not made more answerable to the large and liberal grounds on which it was taken up? The question is natural and proper; and I remember that a great and learned magistrate,[1] distinguished for his strong and systematic understanding, and who at that time was a member of the House of Commons, made the same objection to the proceeding. The statutes, as they now stand, are, without doubt, perfectly absurd. But I beg leave to explain the cause of this gross imperfection in the tolerating plan as well and as shortly as I am able. It was universally thought that the session ought not to pass over without doing *something* in this business. To revise the whole body of the penal statutes was conceived to be an object too big for the time. The penal statute, therefore, which was chosen for repeal (chosen to show our disposition to conciliate, not to perfect a toleration), was this act of ludicrous cruelty, of which I have just given you the history. It is an Act which, though not by a great deal so fierce and bloody as some of the rest, was infinitely more ready in the execution. It was the Act which gave the greatest encouragement to those pests of society, mercenary informers, and interested disturbers of household peace; and it was observed with truth,

[1] The Chancellor.

that the prosecutions, either carried to conviction or compounded for many years, had been all commenced upon that Act. It was said, that whilst we were deliberating on a more perfect scheme, the spirit of the age would never come up to the execution of the statutes which remained; especially as more steps, and a co-operation of more minds and powers, were required towards a mischievous use of them, than for the execution of the Act to be repealed: that it was better to unravel this texture from below than from above, beginning with the latest, which, in general practice, is the severest evil. It was alleged that this slow proceeding would be attended with the advantage of a progressive experience; and that the people would grow reconciled to toleration, when they should find by the effects, that justice was not so irreconcilable an enemy to convenience as they had imagined.

These, gentlemen, were the reasons why we left this good work in the rude, unfinished state in which good works are commonly left, through the tame circumspection with which a timid prudence so frequently enervates beneficence. In doing good, we are generally cold, and languid, and sluggish; and of all things afraid of being too much in the right. But the works of malice and injustice are quite in another style. They are finished with a bold masterly hand; touched as they are with the spirit of those vehement passions that call forth all our energies, whenever we oppress and persecute.

Thus this matter was left for the time, with a full determination in Parliament not to suffer other and worse statutes to remain for the purpose of counteracting the benefits proposed by the repeal of one penal law; for nobody then dreamed of defending what was done as a benefit, on the ground of its being no benefit at all. We were not then ripe for so mean a subterfuge.

I do not wish to go over the horrid scene that was afterwards acted. Would to God it could be expunged for ever from the annals of this country! But since it must subsist for our shame, let it subsist for our instruction. In the year 1780 there were found in this nation men deluded enough (for I give the whole to their delusion), on pretences of zeal and piety, without any sort of provocation whatsoever, real or pretended, to make a desperate attempt, which would have consumed all the glory and power of this country in the flames of London; and buried all law, order, and religion, under the ruins of the metropolis of the Protestant world. Whether all this mischief done, or in the direct train of doing, was in their original scheme, I cannot say—I hope it was not—but this would have been the unavoidable consequence of their proceedings, had not the flames they had lighted up in their fury been extinguished in their blood.

All the time that this horrid scene was acting, or avenging, as well as for some time before, and ever

since, the wicked instigators of this unhappy multitude, guilty with every aggravation of all their crimes, and screened in a cowardly darkness from their punishment, continued without interruption, pity, or remorse, to blow up the blind rage of the populace, with a continued blast of pestilential libels, which infected and poisoned the very air we breathed in.

The main drift of all the libels and all the riots was to force Parliament (to persuade us was hopeless) into an act of national perfidy, which has no example. For, gentlemen, it is proper you should all know what infamy we escaped by refusing that repeal, for a refusal of which, it seems, I, among others, stand somewhere or other accused. When we took away, on the motives which I had the honour of stating to you, a few of the innumerable penalties upon an oppressed and injured people; the relief was not absolute, but given on a stipulation and compact between them and us; for we bound down the Roman Catholics with the most solemn oaths, to bear true allegiance to this Government; to abjure all sort of temporal power in any other; and to renounce, under the same solemn obligations, the doctrines of systematic perfidy, with which they stood (I conceive very unjustly) charged. Now our modest petitioners came up to us, most humbly praying nothing more than that we should break our faith without any one cause whatsoever of forfeiture assigned; and when the subjects of this kingdom had, on their part, fully performed their engagement, we should refuse, on our part,

the benefit we had stipulated on the performance of those very conditious that were prescribed by our own authority, and taken on the sanction of our public faith, that is to say—when we had inveigled them with fair promises within our door, we were to shut it on them; and, adding mockery to outrage, to tell them, "Now we have got you fast—your consciences are bound to a power resolved on your destruction. We have made you swear that your religion obliges you to keep your faith: fools as you are! we will now let you see that our religion enjoins us to keep no faith with you." They who would advisedly call upon us to do such things must certainly have thought us not only a convention of treacherous tyrants, but a gang of the lowest and dirtiest wretches that ever disgraced humanity. Had we done this, we should have indeed proved that there were *some* in the world whom no faith could bind; and we should have *convicted* ourselves of that odious principle of which Papists stood *accused* by those very savages who wished us, on that accusation, to deliver them over to their fury.

In this audacious tumult, when our very name and character as gentlemen was to be cancelled for ever, along with the faith and honour of the nation, I, who had exerted myself very little on the quiet passing of the Bill, thought it necessary then to come forward. I was not alone: but though some distinguished members on all sides, and particularly on ours, added much to their high reputation by the part they took

on that day (a part which will be remembered as long as honour, spirit, and eloquence have estimation in the world), I may and will value myself so far, that, yielding in abilities to many, I yielded in zeal to none. With warmth and with vigour, and animated with a just and natural indignation, I called forth every faculty that I possessed, and I directed it in every way in which I could possibly employ it. I laboured night and day. I laboured in Parliament: I laboured out of Parliament. If, therefore, the resolution of the House of Commons, refusing to commit this act of unmatched turpitude, be a crime, I am guilty among the foremost. But, indeed, whatever the faults of that House may have been, no one member was found hardy enough to propose so infamous a thing; and on full debate we passed the resolution against the petitions with as much unanimity as we had formerly passed the law of which these petitions demanded the repeal.

There was a circumstance (justice will not suffer me to pass it over) which, if anything could enforce the reasons I have given, would fully justify the act of relief, and render a repeal, or anything like a repeal, unnatural, impossible. It was the behaviour of the persecuted Roman Catholics under the acts of violence and brutal insolence which they suffered. I suppose there are not in London less than four or five thousand of that persuasion from my country, who do a great deal of the most laborious works in the metro-

polis; and they chiefly inhabit those quarters which were the principal theatre of the fury of the bigoted multitude. They are known to be men of strong arms and quick feelings, and more remarkable for a determined resolution than clear ideas, or much foresight. But though provoked by everything that can stir the blood of men, their houses and chapels in flames, and with the most atrocious profanations of everything which they hold sacred before their eyes, not a hand was moved to retaliate, or even to defend. Had a conflict once begun, the rage of their persecutors would have redoubled. Thus fury increasing by the reverberation of outrages, house being fired for house, and church for chapel, I am convinced—that no power under heaven could have prevented a general conflagration; and at this day London would have been a tale. But I am well informed—and the thing speaks it—that their clergy exerted their whole influence to keep their people in such a state of forbearance and quiet as, when I look back, fills me with astonishment; but not with astonishment only. Their merits on that occasion ought not to be forgotten—nor will they when Englishmen come to recollect themselves. I am sure it were far more proper to have called them forth, and given them the thanks of both Houses of Parliament, than to have suffered those worthy clergymen and excellent citizens to be hunted into holes and corners, whilst we are making low-minded inquisitions into the number of their people;

as if a tolerating principle was never to prevail, unless we were very sure that only a few could possibly take advantage of it. But indeed we are not yet well recovered of our fright. Our reason, I trust, will return with our security; and this unfortunate temper will pass over like a cloud.

Gentlemen, I have now laid before you a few of the reasons for taking away the penalties of the Act of 1699, and for refusing to establish them on the riotous requisition of 1780. Because I would not suffer anything which may be for your satisfaction to escape, permit me just to touch on the objections urged against our Act and our resolves, and intended as a justification of the violence offered to both Houses. "Parliament," they assert, "was too hasty, and they ought, in so essential and alarming a change, to have proceeded with a far greater degree of deliberation." The direct contrary. Parliament was too slow. They took fourscore years to deliberate on the repeal of an Act which ought not to have survived a second session. When at length, after a procrastination of near a century, the business was taken up, it proceeded in the most public manner, by the ordinary stages, and as slowly as a law so evidently right as to be resisted by none would naturally advance. Had it been read three times in one day, we should have shown only a becoming readiness to recognise, by protection, the undoubted dutiful behaviour of those whom we had but too long punished for offences of presumption or

conjecture. But for what end was that Bill to linger beyond the usual period of an unopposed measure? Was it to be delayed until a rabble in Edinburgh should dictate to the Church of England what measure of persecution was fitting for her safety? Was it to be adjourned until a fanatical force could be collected in London, sufficient to frighten us out of all our ideas of policy and justice? Were we to wait for the profound lectures on the reason of State, ecclesiastical and political, which the Protestant Association have since condescended to read to us? Or were we seven hundred peers and commoners the only persons ignorant of the ribald invectives which occupy the place of argument in those remonstrances, which every man of common observation has heard a thousand times over, and a thousand times over had despised? All men had before heard what they have to say; and all men at this day know what they dare to do; and I trust, all honest men are equally influenced by the one, and by the other.

But they tell us, that those our fellow-citizens, whose chains we have a little relaxed, are enemies to liberty and our free constitution. Not enemies I presume to their *own* liberty. And as to the constitution, until we give them some share in it, I do not know on what pretence we can examine into their opinions about a business in which they have no interest or concern. But, after all, are we equally sure that they are adverse to our constitution, as that our statutes

are hostile and destructive to them? For my part I have reason to believe their opinions and inclinations in that respect are various, exactly like those of other men; and if they lean more to the Crown than I, and than many of you think *we* ought, we must remember that he who aims at another's life is not to be surprised if he flies into any sanctuary that will receive him. The tenderness of the executive power is the natural asylum of those upon whom the laws have declared war; and to complain that men are inclined to favour the means of their own safety is so absurd, that one forgets the injustice in the ridicule.

I must fairly tell you that, so far as my principles are concerned (principles that I hope will only depart with my last breath) I have no idea of a liberty unconnected with honesty and justice. Nor do I believe that any good constitutions of government or of freedom can find it necessary for their security to doom any part of the people to a permanent slavery. Such a constitution of freedom, if such can be, is in effect no more than another name for the tyranny of the strongest faction; and factions in republics have been, and are full as capable as monarchs, of the most cruel oppression and injustice. It is but too true that the love, and even the very idea of genuine liberty, is extremely rare. It is but too true that there are many whose whole scheme of freedom is made up of pride, perverseness, and insolence. They feel themselves in a state of thraldom, they imagine that their

souls are cooped and cabined in unless they have some man, or some body of men, dependent on their mercy. This desire of having some one below them descends to those who are the very lowest of all—and a Protestant cobbler, debased by his poverty, but exalted by his share of the ruling Church, feels a pride in knowing it is by his generosity alone that the peer whose footman's instep he measures is able to keep his chaplain from a jail. This disposition is the true source of the passion which many men in very humble life have taken to the American war. *Our* subjects in America; *our* colonies; *our* dependants. This lust of party-power is the liberty they hunger and thirst for; and this siren song of ambition has charmed ears that one would have thought were never organised to that sort of music.

This way of *proscribing the citizens by denominations and general descriptions*, dignified by the name of reason of State, and security for constitutions and commonwealths, is nothing better at bottom than the miserable invention of an ungenerous ambition which would fain hold the sacred trust of power without any of the virtues or any of the energies that give a title to it—a receipt of policy made up of a detestable compound of malice, cowardice, and sloth. They would govern men against their will, but in that government they would be discharged from the exercise of vigilance, providence, and fortitude; and therefore, that they may sleep on their watch, they consent to take

some one division of the society into partnership of the tyranny over the rest. But let Government, in what form it may be, comprehend the whole in its justice, and restrain the suspicious by its vigilance; let it keep watch and ward; let it discover by its sagacity and punish by his firmness, all delinquency against its power, whenever delinquency exists in the overt acts; and then it will be as safe as ever God and nature intended it should be. Crimes are the acts of individuals and not of denominations; and therefore arbitrarily to class men under general descriptions, in order to proscribe and punish them in the lump for a presumed delinquency, of which perhaps but a part, perhaps none at all, are guilty, is indeed a compendious method, and saves a world of trouble about proof; but such a method, instead of being law, is an act of unnatural rebellion against the legal dominion of reason and justice; and this vice in any constitution that entertains it at one time or other will certainly bring on its ruin.

We are told that this is not a religious persecution, and its abettors are loud in disclaiming all severities on account of conscience. Very fine indeed! Then let it be so, they are not persecutors, they are only tyrants. With all my heart. I am perfectly indifferent concerning the pretexts upon which we torment one another, or whether it be for the constitution of the Church of England, or for the constitution of the State of England, that people choose to make

their fellow-creatures wretched. When we were sent into a place of authority, you that sent us had yourselves but one commission to give. You could give us none to wrong or oppress, or even to suffer any kind of oppression or wrong, on any grounds whatsoever—not on political, as in the affairs of America; not on commercial, as in those of Ireland; not in civil, as in the laws for debt; not in religious, as in the statutes against Protestant or Catholic dissenters. The diversified but connected fabric of universal justice is well cramped and bolted together in all its parts, and, depend upon it, I never have employed, and I never shall employ, any engine of power which may come into my hands, to wrench it asunder. All shall stand, if I can help it, and all shall stand connected. After all, to complete this work, much remains to be done; much in the east, much in the west. But, great as the work is, if our will be ready, our powers are not deficient.

Since you have suffered me to trouble you so much on this subject, permit me, gentlemen, to detain you a little longer. I am indeed most solicitous to give you perfect satisfaction. I find there are some of a better and softer nature than the persons with whom I have supposed myself in debate, who neither think ill of the Act of relief, nor by any means desire the repeal; yet who, not accusing but lamenting what was done, on account of the consequences, have frequently expressed their wish that the late Act had never been made. Some of this description, and persons of worth I have

met with in this city. They conceive that the prejudices, whatever they might be, of a large part of the people ought not to have been shocked; that their opinions ought to have been previously taken, and much attended to; and that thereby the late horrid scenes might have been prevented.

I confess my notions are widely different, and I never was less sorry for any action of my life. I like the Bill the better, on account of the events of all kinds that followed it. It relieved the real sufferers, it strengthened the State, and, by the disorders that ensued, we had clear evidence that there lurked a temper somewhere which ought not to be fostered by the laws. No ill consequences whatever could be attributed to the Act itself. We knew beforehand, or we were poorly instructed, that toleration is odious to the intolerant; freedom to oppressors; property to robbers; and all kinds and degrees of prosperity to the envious. We knew that all these kinds of men would gladly gratify their evil dispositions under the sanction of law and religion if they could: if they could not, yet, to make way to their objects, they would do their utmost to subvert all religion and all law. This we certainly knew. But knowing this, is there any reason because thieves break in and steal, and thus bring detriment to you, and draw ruin on themselves, that I am to be sorry that you are in possession of shops and of warehouses, and of wholesome laws to protect them? Are you to build no houses

because desperate men may pull them down upon their own heads? Or, if a malignant wretch will cut his own throat because he sees you give alms to the necessitous and deserving, shall his destruction be attributed to your charity and not to his own deplorable madness? If we repent of our good actions, what, I pray you, is left for our faults and follies? It is not the beneficence of the laws, it is the unnatural temper which beneficence can fret and sour, that is to be lamented. It is this temper which, by all rational means, ought to be sweetened and corrected. If froward men should refuse this cure, can they vitiate anything but themselves? Does evil so react upon good as not only to retard its motion, but to change its nature? If it can so operate, then good men will always be in the power of the bad: and virtue, by a dreadful reverse of order, must lie under perpetual subjection and bondage to vice.

As to the opinion of the people, which some think in such cases is to be implicitly obeyed, nearly two years' tranquillity which followed the Act, and its instant imitation in Ireland, proved abundantly that the late horrible spirit was, in a great measure, the effect of insidious art, and perverse industry, and gross misrepresentation. But suppose that the dislike had been much more deliberate and much more general than I am persuaded it was, when we know that the opinions of even the greatest multitudes are the standard of rectitude, I shall think myself obliged to make those

opinions the masters of my conscience. But if it may be doubted whether Omnipotence itself is competent to alter the essential constitution of right and wrong, sure I am that such *things* as they and I are possessed of no such power. No man carries farther than I do the policy of making government pleasing to the people. But the widest range of this politic complaisance is confined within the limits of justice. I would not only consult the interest of the people, but I would cheerfully gratify their humours. We are all a sort of children that must be soothed and managed. I think I am not austere or formal in my nature. I would bear, I would even myself play my part in, any innocent buffooneries, to divert them. But I never will act the tyrant for their amusement. If they will mix malice in their sports, I shall never consent to throw them any living, sentient creature whatsoever—no, not so much as a kitling—to torment.

"But if I profess all this impolitic stubbornness, I may chance never to be elected into Parliament." It is certainly not pleasing to be put out of the public service. But I wish to be a member of Parliament to have my share of doing good and resisting evil. It would therefore be absurd to renounce my objects, in order to obtain my seat. I deceive myself indeed most grossly, if I had not much rather pass the remainder of my life hidden in the recesses of the deepest obscurity, feeding my mind even with the visions and imaginations of such things, than to be placed on the

most splendid throne of the universe, tantalised with a denial of the practice of all which can make the greatest situation any other than the greatest curse. Gentlemen, I have had my day. I can never sufficiently express my gratitude to you for having set me in a place wherein I could lend the slightest help to great and laudable designs. If I have had my share in any measure giving quiet to private property and private conscience; if by my vote I have aided in securing to families the best possession, peace; if I have joined in reconciling kings to their subjects, and subjects to their prince; if I have assisted to loosen the foreign holdings of the citizen, and taught him to look for his protection to the laws of his country, and for his comfort to the goodwill of his countrymen;—if I have thus taken my part with the best of men in the best of their actions, I can shut the book; I might wish to read a page or two more, but this is enough for my measure,—I have not lived in vain.

And now, gentlemen, on this serious day, when I come, as it were, to make up my account with you, let me take to myself some degree of honest pride on the nature of the charges that are against me. I do not here stand before you accused of venality, or of neglect of duty. It is not said that, in the long period of my service, I have in a single instance sacrificed the slightest of your interests to my ambition, or to my fortune. It is not alleged that, to gratify any anger or revenge of my own or of my

party, I have had a share in wronging or oppressing any description of men, or any one man in any description. No! the charges against me are all of one kind—that I have pushed the principles of general justice and benevolence too far; farther than a cautious policy would warrant; and farther than the opinions of many would go along with me. In every accident which may happen through life—in pain, in sorrow, in depression and distress—I will call to mind this accusation, and be comforted.

Gentlemen, I submit the whole to your judgment. Mr. Mayor, I thank you for the trouble you have taken on this occasion; in your state of health it is particularly obliging. If this company should think it advisable for me to withdraw, I shall respectfully retire; if you think otherwise, I shall go directly to the Council House and to the Change, and, without a moment's delay, begin my canvass.

VI

A LETTER to A PEER OF IRELAND on the PENAL LAWS AGAINST IRISH CATHOLICS, previous to the late repeal of a part thereof in the Session of the Irish Parliament, held A.D. 1782.

CHARLES STREET, LONDON, *Feb.* 21, 1782.

MY LORD,

I AM obliged to your lordship for your communication of the heads of Mr. Gardiner's Bill. I had received it in an earlier stage of its progress from Mr. Braughall, and I am still in that gentleman's debt, as I have not made him the proper return for the favour he has done me. Business, to which I was more immediately called, and in which my sentiments had the weight of one vote, occupied me every moment since I received his letter. This first morning which I can call my own, I give with great cheerfulness to the subject on which your lordship has done me the honour of desiring my opinion. I have read the heads of the Bill with the amendments. Your lordship is too well acquainted with men and with affairs to imagine that any true

judgment can be formed on the value of a great measure of policy from the perusal of a piece of paper. At present I am much in the dark with regard to the state of the country which the intended law is to be applied to.[1] It is not easy for me to determine whether or no it was wise (for the sake of expunging the black letter of laws, which, menacing as they were in the language, were every day fading into disuse) solemnly to reaffirm the principles, and to re-enact the provisions of a code of statutes, by which you are totally excluded from the PRIVILEGES OF THE COMMONWEALTH from the highest to the lowest, from the most material of the civil professions, from the army, and even from education, where alone education is to be had.

Whether this scheme of indulgence, grounded at once on contempt and jealousy, has a tendency gradually to produce something better and more liberal, I cannot tell, for want of having the actual map of the country. If this should be the case, it was right in you to accept it, such as it is. But if this should be one of the experiments which have sometimes been made before the temper of the nation was ripe for a real reformation, I think it may possibly have ill effects by disposing the penal matter in a more systematic order, and thereby fixing a permanent bar against

[1] The sketch of the Bill sent to Mr. Burke, along with the repeal of some Acts, reaffirmed many others in the penal code. It was altered afterwards, and the clauses reaffirming the incapacities left out, but they all still exist, and are in full force.

any relief that is truly substantial. The whole merit or demerit of the measure depends upon the plans and dispositions of those by whom the Act was made concurring with the general temper of the Protestants of Ireland, and their aptitude to admit in time of some part of that equality, without which you never can be FELLOW-CITIZENS. Of all this I am wholly ignorant. All my correspondence with men of public importance in Ireland has for some time totally ceased. On the first Bill for the relief of the ROMAN CATHOLICS of Ireland I was, without any call of mine, consulted both on your side of the water and on this. On the present occasion I have not heard a word from any man in office, and know as little of the intentions of the British Government as I know of the temper of the Irish Parliament. I do not find that any opposition was made by the principal persons of the minority in the House of Commons, or that any is apprehended from them in the House of Lords. The whole of the difficulty seems to lie with the principal men in Government, under whose protection this Bill is supposed to be brought in. This violent opposition and cordial support, coming from one and the same quarter, appears to me something mysterious, and hinders me from being able to make any clear judgment of the merit of the present measure, as compared with the actual state of the country and the general views of Government, without which one can say nothing that may not be very erroneous.

To look at the Bill in the abstract, it is neither more nor less than a renewed act of UNIVERSAL, UNMITIGATED, INDISPENSABLE, EXCEPTIONLESS DISQUALIFICATION.

One would imagine that a Bill, inflicting such a multitude of incapacities, had followed on the heels of a conquest made by a very fierce enemy, under the impression of recent animosity and resentment. No man on reading that Bill could imagine he was reading an Act of amnesty and indulgence, following a recital of the good behaviour of those who are the objects of it: which recital stood at the head of the Bill, as it was first introduced; but I suppose for its incongruity with the body of the piece, was afterwards omitted.—This I say on memory. It, however, still recites the oath, and that Catholics ought to be considered as good and loyal subjects to his Majesty, his Crown and Government. Then follows a universal exclusion of those GOOD and LOYAL subjects from every (even the lowest) office of trust and profit; from any vote at an election; from any privilege in a town corporate; from being even a freeman of such a corporation; from serving on grand juries; from a vote at a vestry; from having a gun in his house; from being a barrister, attorney, or solicitor, etc. etc. etc.

This has surely much more the air of a table of proscription than an act of grace. What must we suppose the laws concerning those *good* subjects to have been, of which this is a relaxation? I know

well that there is a cant language current, about the difference between an exclusion from employments even to the most rigorous extent, and an exclusion from the natural benefits arising from a man's own industry. I allow that under some circumstances the difference is very material in point of justice, and that there are considerations which may render it advisable for a wise government to keep the leading parts of every branch of civil and military administration in hands of the best trust; but a total exclusion from the commonwealth is a very different thing. When a government subsists (as governments formerly did) on an estate of its own, with but few and inconsiderable revenues drawn from the subject, then the few officers which existed in such establishments were naturally at the disposal of that government, which paid the salaries out of its own coffers; there an exclusive preference could hardly merit the name of proscription. Almost the whole produce of a man's industry at that time remained in his own purse to maintain his family. But times alter, and the *whole* estate of government is from private contribution. When a very great portion of the labour of individuals goes to the State, and is by the State again refunded to individuals through the medium of offices, and in this circuitous progress from the private to the public, and from the public again to the private fund, the families from whom the revenue is taken are indemnified, and an equitable balance between the Government and the subject is established.

But if a great body of the people, who contribute to this State lottery, are excluded from all the prizes, the stopping the circulation with regard to them may be a most cruel hardship, amounting in effect to being double and treble taxed; and it will be felt as such to the very quick by all the families high and low of those hundreds of thousands who are denied their chance in the returned fruits of their own industry. This is the thing meant by those who look upon the public revenue only as a spoil; and will naturally wish to have as few as possible concerned in the division of the booty. If a State should be so unhappy as to think it cannot subsist without such a barbarous proscription, the persons so proscribed ought to be indemnified by the remission of a large part of their taxes, by an immunity from the offices of public burden, and by an exemption from being pressed into any military or naval service.

Common sense and common justice dictate this at least, as some sort of compensation to a people for their slavery. How many families are incapable of existing if the little offices of the revenue and little military commissions are denied them! To deny them at home, and to make the happiness of acquiring some of them somewhere else, felony, or high treason, is a piece of cruelty, in which, till very lately, I did not suppose this age capable of persisting. Formerly a similarity of religion made a sort of country for a man in some quarter or other. A refugee for religion was a pro-

tected character. Now, the reception is cold indeed; and, therefore, as the asylum abroad is destroyed, the hardship at home is doubled. This hardship is the more intolerable because the professions are shut up. The Church is so of course. Much is to be said on that subject in regard to them and to the Protestant dissenters. But that is a chapter by itself. I am sure I wish well to that Church, and think its ministers among the very best citizens of your country. However, such as it is, a great walk in life is forbidden ground to seventeen hundred thousand of the inhabitants of Ireland. Why are they excluded from the law? Do not they expend money in their suits? Why may not they indemnify themselves by profiting in the persons of some for the losses incurred by others? Why may not they have persons of confidence, whom they may, if they please, employ in the agency of their affairs? The exclusion from the law, from grand juries, from sheriffships and under-sheriffships, as well as from freedom in any corporation, may subject them to dreadful hardships, as it may exclude them wholly from all that is beneficial, and expose them to all that is mischievous in a trial by jury. This was manifestly within my own observation, for I was three times in Ireland from the year 1760 to the year 1767, where I had sufficient means of information concerning the inhuman proceedings (among which were many cruel murders, besides an infinity of outrages and oppressions, unknown before in a civilised age) which

prevailed during that period in consequence of a pretended conspiracy among *Roman Catholics* against the king's Government. I could dilate upon the mischief that may happen from those which have happened upon this head of disqualification if it were at all necessary.

The head of exclusion from votes for members of Parliament is closely connected with the former. When you cast your eye on the statute-book, you will see that no *Catholic*, even in the ferocious Acts of Queen Anne, was disabled from voting on account of his religion. The only conditions required for that privilege were the oaths of allegiance and abjuration—both oaths relative to a civil concern. Parliament has since added another oath of the same kind, and yet a House of Commons adding to the securities of government in proportion as its danger is confessedly lessened, and professing both confidence and indulgence in effect, takes away the privilege left by an Act full of jealousy and professing persecution.

The taking away of a vote is the taking away the shield which the subject has, not only against the oppression of power, but that worst of all oppressions, the persecution of private society and private manners. No candidate for parliamentary influence is obliged to the least attention towards them, either in cities or counties. On the contrary, if they should become obnoxious to any bigoted or malignant people amongst whom they live, it will become the interest of those

who court popular favour to use the numberless means which always reside in magistracy and influence to oppress them. The proceedings in a certain county in Munster during the unfortunate period I have mentioned, read a strong lecture on the cruelty of depriving men of that shield, on account of their speculative opinions. The Protestants of Ireland feel well and naturally on the hardship of being bound by laws, in the enacting of which they do not directly or indirectly vote. The bounds of these matters are nice, and hard to be settled in theory, and perhaps they have been pushed too far. But how they can avoid the necessary application of the principles they use in their disputes with others to their disputes with their fellow-citizens, I know not.

It is true, the words of this Act do not create a disability; but they clearly and evidently suppose it. There are few *Catholic* freeholders to take the benefit of the privilege, if they were permitted to partake it: but the manner in which this very right in freeholders at large is defended, is not on the idea that the freeholders do really and truly represent the people; but that all people being capable of obtaining freeholds, all those who by their industry and sobriety merit this privilege, have the means of arriving at votes. It is the same with the corporations.

The laws against foreign education are clearly the very worst part of the old code. Besides your laity, you have the succession of about 4000 clergymen to

provide for. These, having no lucrative objects in prospect, are taken very much out of the lower orders of the people. At home they have no means whatsoever provided for their attaining a clerical education, or indeed any education at all. When I was in Paris, about seven years ago, I looked at everything, and lived with every kind of people, as well as my time admitted. I saw there the Irish college of the Lombard, which seemed to me a very good place of education, under excellent orders and regulations, and under the government of a very prudent and learned man (the late Dr. KELLY). This college was possessed of an annual fixed revenue of more than a thousand pounds a year; the greatest part of which had arisen from the legacies and benefactions of persons educated in that college, and who had obtained promotions in France, from the emolument of which promotions they made this grateful return. One in particular I remember, to the amount of ten thousand livres, annually, as it is recorded on the donor's monument in their chapel.

It has been the custom of poor persons in Ireland to pick up such knowledge of the Latin tongue as, under the general discouragements, and occasional pursuits of magistracy, they were able to acquire; and receiving orders at home, were sent abroad to obtain a clerical education. By officiating in petty chaplainships, and performing, now and then, certainly offices of religion for small gratuities, they received the means of maintaining themselves, until they were able to

complete their education. Through such difficulties and discouragements, many of them arrived at a very considerable proficiency, so as to be marked and distinguished abroad. These persons afterwards, by being sunk in the most abject poverty, despised and ill-treated by the high orders among Protestants, and not much better esteemed or treated, even by the few persons of fortune of their own persuasion, and contracting the habits and ways of thinking of the poor and uneducated, among whom they were obliged to live, in a few retained little or no traces of the talents and acquirements, which distinguished them in the early periods of their lives. Can we, with justice, cut them off from the use of places of education, founded, for the greater part, from the economy of poverty and exile, without providing something that is equivalent at home?

Whilst this restraint of foreign and domestic education was part of a horrible and impious system of servitude, the members were well fitted to the body. To render men patient under a deprivation of all the rights of human nature, everything which could give them a knowledge or feeling of those rights was rationally forbidden. To render humanity fit to be insulted, it was fit that it should be degraded. But when we profess to restore men to the capacity for property, it is equally irrational and unjust to deny them the power of improving their minds as well as their fortunes. Indeed, I have ever thought that the

prohibition of the means of improving our rational nature to be the worst species of tyranny that the insolence and perverseness of mankind ever dared to exercise. This goes to all men, in all situations, to whom education can be denied.

Your lordship mentions a proposal which came from my friend the provost, whose benevolence and enlarged spirit I am perfectly convinced of—which is, the proposal of erecting a few sizerships in the college for the education (I suppose) of Roman Catholic clergymen.[1] He certainly meant it well, but coming from such a man as he is, it is a strong instance of the danger of suffering any description of men to fall into entire contempt. The charities intended for them are not perceived to be fresh insults, and the true nature of their wants and necessities being unknown, remedies wholly unsuitable to the nature of their complaint are provided for them. It is to feed a sick Gentoo with beef broth, and to foment his wounds with brandy. If the other parts of the University were open to them as well on the foundation as otherwise, the offering of sizerships would be a proportioned part of a *general* kindness. But when everything *liberal* is withheld, and only that which is *servile* is permitted, it is easy to conceive upon what footing they must be in such a place.

Mr. Hutchinson must well know the regard and

[1] It appears that Mr. Hutchinson meant this only as one of the means for their relief in point of education.

honour I have for him, and he cannot think my dissenting from him in this particular arises from a disregard of his opinion—it only shows that I think he has lived in Ireland. To have any respect for the character and person of a Popish priest there——oh! 'tis an uphill work indeed. But until we come to respect what stands in a respectable light with others, we are very deficient in the temper which qualifies us to make any laws and regulations about them. It even disqualifies us from being charitable to them with any effect or judgment.

When we are to provide for the education of any body of men, we ought seriously to consider the particular functions they are to perform in life. A Roman Catholic clergyman is the minister of a very ritual religion, and by his profession subject to many restraints. His life is a life full of strict observances, and his duties are of a laborious nature towards himself, and of the highest possible trust towards others. The duty of confession alone is sufficient to set in the strongest light the necessity of his having an appropriated mode of education. The theological opinions and peculiar rights of one religion never can be properly taught in universities founded for the purposes and on the principles of another, which in many points are directly opposite. If a Roman Catholic clergyman, intended for celibacy and the function of confession, is not strictly bred in a seminary where these things are respected, inculcated, and enforced as sacred,

and not made the subject of derision and obloquy, he will be ill fitted for the former, and the latter will be indeed in his hands a terrible instrument.

There is a great resemblance between the whole frame and constitution of the Greek and Latin churches. The secular clergy in the former, by being married, living under little restraint, and having no particular education suited to their function, are universally fallen into such contempt that they are never permitted to aspire to the dignities of their own church. It is not held respectful to call them *papas*, their true and ancient appellation, but those who wish to address them with civility always call them *hieromonachi*. In consequence of this disrespect, which, I venture to say, in such a church must be the consequence of a secular life, a very great degeneracy from reputable Christian manners has taken place throughout almost the whole of that great member of the Christian Church.

It was so with the Latin church before the restraint on marriage. Even that restraint gave rise to the greatest disorders before the Council of Trent, which, together with the emulation raised and the good examples given by the reformed churches, wherever they were in view of each other, has brought on that happy amendment which we see in the Latin communion, both at home and abroad.

The Council of Trent has wisely introduced the discipline of seminaries, by which priests are not

trusted for a clerical institution even to the severe discipline of their colleges; but, after they pass through them, are frequently, if not for the greater part, obliged to pass through peculiar methods having their particular ritual function in view. It is in a great measure to this and to similar methods used in foreign education, that the Roman Catholic clergy of Ireland, miserably provided for, living among low and ill-regulated people, without any discipline of sufficient force to secure good manners, have been prevented from becoming an intolerable nuisance to the country, instead of being, as I conceive they generally are, a very great service to it.

The ministers of Protestant churches require a different mode of education, more liberal and more fit for the ordinary intercourse of life. That religion having little hold on the minds of people by external ceremonies and extraordinary observances, or separate habits of living, the clergy make up the deficiency by cultivating their minds with all kinds of ornamental learning, which the liberal provision made in England and Ireland for the parochial clergy (to say nothing of the ample church preferments, with little or no duties annexed), and the comparative lightness of parochial duties, enables the greater part of them in some considerable degree to accomplish.

This learning, which I believe to be pretty general, together with a higher situation, and more chastened by the opinion of mankind, forms a sufficient security

for the morals of the established clergy, and for their sustaining their clerical character with dignity. It is not necessary to observe that all these things are, however, collateral to their function, and that except in preaching, which may be and is supplied, and often best supplied, out of printed books, little else is necessary for a Protestant minister than to be able to read the English language,—I mean for the exercise of his function, not to the qualification of his admission to it. But a Popish parson in Ireland may do very well without any considerable classical erudition, or any proficiency in pure or mixed mathematics, or any knowledge of civil history. Even if the Catholic clergy should possess those acquisitions, as at first many of them do, they soon lose them in the painful course of professional and parochial duties; but they must have all the knowledge, and, what is to them more important than the knowledge, the discipline necessary to those duties. All modes of education, conducted by those whose minds are cast in another mould, as I may say, and whose original ways of thinking are formed upon the reverse pattern, must be to them not only useless but mischievous. Just as I should suppose the education in a Popish ecclesiastical seminary would be ill fitted for a Protestant clergyman. To educate a Catholic priest in a Protestant seminary would be much worse. The Protestant educated amongst Catholics has only something to reject: what he keeps may be useful. But a Catholic parish priest

learns little for his peculiar purpose and duty in a Protestant college.

All this, my lord, I know very well will pass for nothing with those who wish that the popish clergy should be illiterate, and in a situation to produce contempt and detestation. Their minds are wholly taken up with party squabbles, and I have neither leisure nor inclination to apply any part of what I have to say to those who never think of religion, or of the commonwealth, in any other light than as they tend to the prevalence of some faction in either. I speak on a supposition that there is a disposition *to take the State in the condition in which it is found*, and to improve it *in that state* to the best advantage. Hitherto the plan for the government of Ireland has been to sacrifice the civil prosperity of the nation to its religious improvement. But if people in power there are at length come to entertain other ideas, they will consider the good order, decorum, virtue, and morality of every description of men among them as of infinitely greater importance than the struggle (for it is nothing better) to change those descriptions by means which put to hazard objects which, in my poor opinion, are of more importance to religion and to the State than all the polemical matter which has been agitated among men from the beginning of the world to this hour.

On this idea, an education fitted *to each order and division of men, such as they are found*, will be thought

an affair rather to be encouraged than discountenanced; and until institutions at home, suitable to the occasions and necessities of the people, are established, and which are armed, as they are abroad, with authority to coerce the young men to be formed in them, by a strict and severe discipline,—the means they have at present of a cheap and effectual education in other countries should not continue to be prohibited by penalties and modes of inquisition, not fit to be mentioned to ears that are organised to the chaste sounds of equity and justice.

Before I had written thus far, I heard of a scheme of giving to the Castle the patronage of the presiding members of the Catholic clergy. At first I could scarcely credit it; for I believe it is the first time that the presentation to other people's alms has been desired in any country. If the State provides a suitable maintenance and temporality for the governing members of the Irish Roman Catholic Church, and for the clergy under them, I should think the project, however improper in other respects, to be by no means unjust. But to deprive a poor people, who maintain a second set of clergy out of the miserable remains of what is left after taxing and tithing,—to deprive them of the disposition of their own charities among their own communion,—would, in my opinion, be an intolerable hardship. Never were the members of one religious sect fit to appoint the pastors to another. Those who have no regard for their welfare, reputa-

tion, or internal quiet, will not appoint such as are proper. The seraglio of Constantinople is as equitable as we are, whether Catholics or Protestants; and where their own sect is concerned, full as religious. But the sport which they make of the miserable dignities of the Greek Church,—the little factions of the harem to which they make them subservient, the continual sale to which they expose and re-expose the same dignity, and by which they squeeze all the inferior orders of the clergy,—is (for I have had particular means of being acquainted with it) nearly equal to all the other oppressions together, exercised by Mussulmen over the unhappy members of the Oriental Church. It is a great deal to suppose that even the present Castle would nominate bishops for the Roman Church of Ireland, with a religious regard for its welfare. Perhaps they cannot, perhaps they dare not do it.

But suppose them to be well inclined, as I know that I am, to do the Catholics all kind of justice, I declare I would not, if it were in my power, take that patronage on myself. I know I ought not to do it. I belong to another community, and it would be intolerable usurpation for me to affect such authority, where I conferred no benefit, or even if I did confer (as in some degree the seraglio does) temporal advantages. But, allowing that the *present* Castle finds itself fit to administer the government of a Church which they solemnly forswear, and forswear with very hard words and many evil epithets, and that as often as

they qualify themselves for the power which is to give this very patronage, or to give anything else that they desire,—yet they cannot ensure themselves that a man like the late Lord Chesterfield will not succeed to them. This man, while he was duping the credulity of Papists with fine words in private, and commending their good behaviour during a rebellion in Great Britain (as it well deserved to be commended and rewarded), was capable of urging penal laws against them in a speech from the throne, and of stimulating with provocatives the wearied and half-exhausted bigotry of the then Parliament of Ireland. They set to work, but they were at a loss what to do; for they had already almost gone through every contrivance which could *waste the vigour* of their country; but after much struggle they produced a child of their old age, the shocking and unnatural act about marriages, which tended to finish the scheme for making the people not only two distinct parties for ever, but keeping them as two distinct species in the same land. Mr. Gardiner's humanity was shocked at it, as one of the worst parts of that truly barbarous system, if one could well settle the preference, where almost all the parts were outrages on the rights of humanity and the laws of nature.

Suppose an atheist, playing the part of a bigot, should be in power again in that country, do you believe that he would faithfully and religiously administer the trust of appointing pastors to a Church, which, wanting every other support, stands in tenfold

need of ministers who will be dear to the people committed to their charge, and who will exercise a really paternal authority amongst them? But if the superior power was always in a disposition to dispense conscientiously, and like an upright trustee and guardian of these rights which he holds for those with whom he is at variance, has he the capacity and means of doing it? How can the Lord-Lieutenant form the least judgment of their merits, so as to discern which of the Popish priests is fit to be made a bishop? It cannot be: the idea is ridiculous. He will hand them over to lords-lieutenants of counties, justices of the peace, and other persons, who, for the purpose of vexing and turning to derision this miserable people, will pick out the worst and most obnoxious they can find amongst the clergy to set over the rest. Whoever is complained against by his brother will be considered as persecuted; whoever is censured by his superior will be looked upon as oppressed; whoever is careless in his opinions and loose in his morals will be called a liberal man, and will be supposed to have incurred hatred, because he was not a bigot. Informers, tale-bearers, perverse and obstinate men, flatterers, who turn their back upon their flock, and court the Protestant gentlemen of the country, will be the objects of preferment. And then I run no risk in foretelling that whatever order, quiet, and morality you have in the country, will be lost. A Popish clergy who are not restrained by the most austere subordination will become a nuisance, a real

public grievance of the heaviest kind, in any country that entertains them; and instead of the great benefit which Ireland does, and has long derived from them, if they are educated without any idea of discipline and obedience, and then put under bishops who do not owe their station to their good opinion, and whom they cannot respect, that nation will see disorders of which, bad as things are, it has yet no idea. I do not say this as thinking the leading men in Ireland would exercise this trust worse than others. Not at all. No man, no set of men living are fit to administer the affairs, or regulate the interior economy of a Church to which they are enemies.

As to government, if I might recommend a prudent caution to them, it would be to innovate as little as possible upon speculation in establishments from which, as they stand, they experience no material inconvenience to the repose of the country,—*quieta non movere.* I could say a great deal more, but I am tired, and am afraid your lordship is tired too. I have not sat to this letter a single quarter of an hour without interruption. It has grown long, and probably contains many repetitions from my total want of leisure to digest and consolidate my thoughts; and as to my expressions, I could wish to be able perhaps to measure them more exactly. But my intentions are fair, and I certainly mean to offend nobody.

. . . . . .

Thinking over this matter more maturely, I see no

reason for altering my opinion in any part. The Act as far as it goes, is good undoubtedly. It amounts, I think, very nearly to a *toleration* with respect to religious ceremonies, but it puts a new bolt on civil rights, and rivets it to the old one in such a manner that neither, I fear, will be easily loosened. What I could have wished would be to see the civil advantages take the lead; the other of a religious toleration, I conceive, would follow (in a manner) of course. From what I have observed, it is pride, arrogance, and a spirit of domination, and not a bigoted spirit of religion, that has caused and kept up those oppressive statutes. I am sure I have known those who have oppressed Papists in their civil rights exceedingly indulgent to them in their religious ceremonies, and who really wished them to continue Catholics, in order to furnish pretences for oppression. These persons never saw a man (by converting) escape out of their power, but with grudging and regret. I have known men to whom I am not uncharitable in saying (though they are dead) that they would have become Papists in order to oppress Protestants, if, being Protestants, it was not in their power to oppress Papists. It is injustice, and not a mistaken conscience, that has been the principle of persecution, at least as far as it has fallen under my observation. However, as I began, so I end. I do not know the map of the country. Mr. Gardiner who conducts this great and difficult work, and those who support him, are better judges of the business

than I can pretend to be, who have not set my foot in Ireland these sixteen years. I have been given to understand that I am not considered as a friend to that country, and I know that pains have been taken to lessen the credit that I might have had there.

. . . . . .

I am so convinced of the weakness of interfering in any business without the opinion of the people in whose business I interefere, that I do not know how to acquit myself of what I have now done.—I have the honour to be, with high regard and esteem, my Lord, your Lordship's most obedient and humble servant, etc., EDMUND BURKE.

VII.

A LETTER to SIR H. LANGRISHE, Bart., M.P., on the Subject of the ROMAN CATHOLICS OF IRELAND, AND THE PROPRIETY OF ADMITTING THEM TO THE ELECTIVE FRANCHISE, CONSISTENTLY WITH THE PRINCIPLES OF THE CONSTITUTION AS ESTABLISHED AT THE REVOLUTION, 1792.

MY DEAR SIR,

YOUR remembrance of me with sentiments of so much kindness has given me the most sincere satisfaction. It perfectly agrees with the friendly and hospitable reception which my son and I received from you some time since, when, after an absence of twenty-two years, I had the happiness of embracing you among my few surviving friends.

I really imagined that I should not again interest myself in any public business. I had, to the best of my moderate faculties, paid my club to the society which I was born in some way or other to serve; and I thought I had a right to put on my night-gown and slippers, and wish a cheerful evening to the good com-

pany I must leave behind. But if our resolutions of vigour and exertion are so often broken or procrastinated in the execution, I think we may be excused if we are not very punctual in fulfilling our engagements to indolence and inactivity. I have indeed no power of action, and am almost a cripple, even with regard to thinking; but you descend with force into the stagnant pool, and you cause such a fermentation as to cure at least one impotent creature of his lameness, though it cannot enable him either to run or to wrestle.

You see by the paper[1] I take that I am likely to be long, with malice prepense. You have brought under my view a subject always difficult, at present critical. It has filled my thoughts, which I wish to lay open to you with the clearness and simplicity which your friendship demands from me. I thank you for the communication of your ideas. I should be still more pleased if they had been more your own. What you hint I believe to be the case,—that if you had not deferred to the judgment of others, our opinions would not differ more materially at this day than they did when we used to confer on the same subject so many years ago. If I still persevere in my old opinions, it is no small comfort to me that it is not with regard to doctrines properly yours that I discover my indocility.

The case upon which your letter of the 10th of

[1] The letter is written on folio sheets.

December turns is hardly before me with precision enough to enable me to form any very certain judgment upon it. It seems to be some plan of further indulgence proposed for the Catholics of Ireland. You observe that your "general principles are not changed, but that *times and circumstances are altered.*" I perfectly agree with you that times and circumstances, considered with reference to the public, ought very much to govern our conduct, though I am far from slighting, when applied with discretion to those circumstances, general principles and maxims of policy. I cannot help observing, however, that you have said rather less upon the inapplicability of your own old principles to the *circumstances* that are likely to influence your conduct against these principles, than of the *general* maxims of State, which I can very readily believe not to have great weight with you personally.

In my present state of imperfect information, you will pardon the errors into which I may easily fall. The principles you lay down are, "that the Roman Catholics should enjoy everything *under* the State, but should not be *the State itself.*" And you add, "that when you exclude them from being *a part of the State,* you rather conform to the spirit of the age than to any abstract doctrine;" but you consider the constitution as already established—that our State is Protestant. "It was declared so at the Revolution. It was so provided in the Acts for settling the succes-

sion of the Crown—the king's coronation oath was enjoined, in order to keep it so. The king, as first magistrate of the State, is obliged to take the oath of abjuration,[1] and to subscribe the declaration; and, by laws subsequent, every other magistrate and member of the State, legislative and executive, are bound under the same obligation."

As to the plan to which these maxims are applied, I cannot speak, as I told you, positively about it, because neither from your letter nor from any information I have been able to collect, do I find anything settled, either on the part of the Roman Catholics themselves or on that of any persons who may wish to conduct their affairs in Parliament. But if I have leave to conjecture, something is in agitation towards admitting them, under *certain qualifications*, to have *some share* in the election of members of Parliament. This, I understand, is the scheme of those who are entitled to come within your description of persons of consideration, property, and character; and firmly attached to the king and constitution, as by "law established, with a grateful sense of your former concessions, and a patient reliance on the benignity of Parliament for the further mitigation of the laws that still affect them." As to the low, thoughtless, wild and profligate, who have joined themselves with those of other professions but of the same character, you are

[1] A small error of fact as to the abjuration oath; but of no importance in the argument.

not to imagine that, for a moment, I can suppose them to be met with anything else than the manly and enlightened energy of a firm government, supported by the united efforts of all virtuous men, if ever their proceedings should become so considerable as to demand its notice. I really think that such associations should be crushed in their very commencement.

Setting, therefore, this case out of the question, it becomes an object of very serious consideration whether, because wicked men of *various* descriptions are engaged in seditious courses, the rational, sober, and valuable part of *one* description should not be indulged in their sober and rational expectations? You who have looked deeply into the spirit of the Popery laws, must be perfectly sensible that a great part of the present mischief which we abhor in common (if it at all exists) has arisen from them. Their declared object was to reduce the Catholics of Ireland to a miserable populace, without property, without estimation, without education. The professed object was to deprive the few men who, in spite of those laws, might hold or retain any property amongst them, of all sort of influence or authority over the rest. They divided the nation into two distinct bodies, without common interest, sympathy, or connection. One of these bodies was to possess *all* the franchises, *all* the property, *all* the education; the other was to be composed of drawers of water and cutters of turf for them. Are we to be astonished when, by the efforts of so much violence in conquest,

and so much policy in regulation, continued without intermission for near a hundred years, we had reduced them to a mob; that whenever they came to act at all, many of them would act exactly like a mob, without temper, measure, or foresight? Surely it might be just now a matter of temperate discussion whether you ought not to apply a remedy to the real cause of the evil. If the disorder you speak of be real and considerable, you ought to raise an aristocratic interest, that is, an interest of property and education, amongst them, and to strengthen, by every prudent means, the authority and influence of men of that description. It will deserve your best thoughts to examine whether this can be done without giving such persons the means of demonstrating to the rest, that something more is to be got by their temperate conduct than can be expected from the wild and senseless projects of those who do not belong to their body, who have no interest in their well-being, and only wish to make them the dupes of their turbulent ambition.

If the absurd persons you mention find no way of providing for liberty but by overturning this happy constitution and introducing a frantic democracy, let us take care how we prevent better people from any rational expectations of partaking in the benefits of that constitution *as it stands*. The maxims you establish cut the matter short. They have no sort of connection with the good or the ill behaviour of the persons who seek relief, or with the proper or improper

means by which they seek it. They form a perpetual bar to all pleas and to all expectations.

You begin by asserting that "the Catholics ought to enjoy all things *under* the State, but that they ought not to *be the State.*" A position which, I believe, in the latter part of it, and in the latitude there expressed, no man of common sense has ever thought proper to dispute; because the contrary implies that the State ought to be in them *exclusively.* But before you have finished the line, you express yourself as if the other member of your proposition—namely, that "they ought not to be *a part* of the State,"—were necessarily included in the first; whereas I conceive it to be as different as a part is from the whole—that is, just as different as possible. I know, indeed, that it is common with those who talk very differently from you—that is, with heat and animosity—to confound those things, and to argue the admission of the Catholics into any—however minute and subordinate—parts of the State, as a surrender into their hands of the whole government of the kingdom. To them I have nothing at all to say.

Wishing to proceed with a deliberative spirit and temper in so very serious a question, I shall attempt to analyse, as well as I can, the principles you lay down, in order to fit them for the grasp of an understanding so little comprehensive as mine. "State," "Protestant," "Revolution." These are terms which, if not well explained, may lead us into many errors.

In the word *State*, I conceive there is much ambiguity. The State is sometimes used to signify *the whole commonwealth*, comprehending all its orders, with the several privileges belonging to each. Sometimes it signifies only *the higher and ruling part* of the commonwealth, which we commonly call *the Government*. In the first sense, to be under the State, but not the State itself, *nor any part of it*, that is, to be nothing at all in the commonwealth, is a situation perfectly intelligible; but to those who fill that situation, not very pleasant, when it is understood. It is a state of *civil servitude* by the very force of the definition. *Servorum non est respublica* is a very old and a very true maxim. This servitude, which makes men *subject* to a State without being *citizens*, may be more or less tolerable from many circumstances; but these circumstances, more or less favourable, do not alter the nature of the thing. The mildness by which absolute masters exercise their dominion leaves them masters still. We may talk a little presently of the manner in which the majority of the people of Ireland (the Catholics) are affected by this situation, which at present undoubtedly is theirs; and which you are of opinion ought so to continue for ever.

In the other sense of the word *State*, by which is understood the *Supreme Government* only, I must observe this upon the question—that to exclude whole classses of men entirely from this *part* of government, cannot be considered as *absolute slavery*. It only

implies a lower and degraded state of citizenship; such is (with more or less strictness) the condition of all countries in which a hereditary nobility possess the exclusive rule. This may be no bad mode of government, provided that the personal authority of individual nobles be kept in due bounds; that their cabals and factions are guarded against with a severe vigilance; and that the people (who have no share in granting their own money) are subjected to but light impositions, and are otherwise treated with attention, and with indulgence to their humours and prejudices.

The Republic of Venice is one of those which strictly confines all the great functions and offices, such as are truly *State* functions and *State* offices, to those who, by hereditary right or admission, are noble Venetians. But there are many offices, and some of them not mean nor unprofitable (that of Chancellor is one), which are reserved for the *Cittadini*. Of these all citizens of Venice are capable. The inhabitants of the *Terra firma*, who are mere subjects of conquest, that is, as you express it, under the State, but "not a part of it," are not, however, subjects in so very rigorous a sense as not to be capable of numberless subordinate employments. It is, indeed, one of the advantages attending the narrow bottom of their aristocracy (narrow as compared with their acquired dominions, otherwise broad enough), that an exclusion from such employments cannot possibly be made amongst their subjects. There are, besides, advantages in States so

constituted by which those who are considered as of an inferior race are indemnified for their exclusion from the government and from nobler employments. In all these countries, either by express law, or by usage more operative, the noble casts are almost universally in their turn excluded from commerce, manufacture, farming of land, and in general from all lucrative civil professions. The nobles have the monopoly of honour; the plebeians a monopoly of all the means of acquiring wealth. Thus some sort of a balance is formed among conditions; a sort of compensation is furnished to those who, in a *limited sense*, are excluded from the government of the State.

Between the extreme of *a total exclusion*, to which your maxim goes, and *an universal unmodified capacity*, to which the fanatics pretend, there are many different degrees and stages, and a great variety of temperaments, upon which prudence may give full scope to its exertions. For you know that the decisions of prudence (contrary to the system of the insane reasoners) differ from those of judicature; and that almost all the former are determined on the more or the less, the earlier or the later, and on a balance of advantage and inconvenience, of good and evil.

In all considerations which turn upon the question of vesting or continuing the State solely and exclusively in some one description of citizens, prudent legislators will consider how far the *general form and principles of their commonwealth render it fit to be cast into an*

oligarchical shape, or to remain always in it. We know that the Government of Ireland (the same as the British) is not in its constitution *wholly* aristocratical; and as it is not such in its form, so neither is it in its spirit. If it had been inveterately aristocratical, exclusions might be more patiently submitted to. The lot of one plebeian would be the lot of all; and an habitual reverence and admiration of certain families might make the people content to see government wholly in hands to whom it seemed naturally to belong. But our constitution has *a plebeian member*, which forms an essential integrant part of it. A plebeian oligarchy is a monster; and no people not absolutely domestic or predial slaves will long endure it. The Protestants of Ireland are not *alone* sufficiently the people to form a democracy; and they are *too numerous* to answer the ends and purposes of *an aristocracy.* Admiration, that first source of obedience, can be only the claim or the imposture of a few. I hold it to be absolutely impossible for two millions of plebeians, composing, certainly, a very clear and decided majority in that class, to become so far in love with six or seven hundred thousand of their fellow-citizens (to all outward appearance plebeians like themselves, and many of them tradesmen, servants, and otherwise inferior to some of them) as to see with satisfaction, or even with patience, an exclusive power vested in them, by which *constitutionally* they become the absolute masters, and by the *manners* derived from their circumstances, must be

capable of exercising upon them, daily and hourly, an insulting and vexatious superiority. Neither are the majority of the Irish indemnified (as in some aristocracies) for this state of humiliating vassalage (often inverting the nature of things and relations) by having the lower walks of industry wholly abandoned to them. They are rivalled, to say the least of the matter, in every laborious and lucrative course of life; while every franchise, every honour, every trust, every place down to the very lowest and least confidential (besides whole professions), is reserved for the master cast.

Our constitution is not made for great, general, and proscriptive exclusions; sooner or later it will destroy them, or they will destroy the constitution. In our constitution there has always been a difference between *a franchise* and *an office*, and between the capacity for the one and for the other. Franchises were supposed to belong to the *subject*, as *a subject*, and not *as a member of the governing part of the State*. The policy of government has considered them as things very different; for whilst Parliament excluded by the Test Acts (and for a while these Test Acts were not a dead letter, as now they are in England) Protestant dissenters from all civil and military employments, they *never touched their right of voting for members of Parliament or sitting in either House*,—a point I state, not as approving or condemning, with regard to them, the measure of exclusion from employments, but to prove

that the distinction has been admitted in legislature, as, in truth, it is founded in reason.

I will not here examine whether the principles of the British [the Irish] constitution be wise or not. I must assume that they are, and that those who partake the franchises which make it partake of a benefit. They who are excluded from votes (under proper qualifications inherent in the constitution that gives them) are excluded, not from the *State*, but from the *British constitution*. They cannot by any possibility, whilst they hear its praises continually rung in their ears, and are present at the declaration which is so generally and so bravely made by those who possess the privilege—that the best blood in their veins ought to be shed to preserve their share in it; they, the disfranchised part, cannot, I say, think themselves in a *happy* state, to be utterly excluded from all its direct and all its consequential advantages. The popular part of the constitution must be to them by far the most odious part of it. To them it is not *an actual*, and, if possible, still less a *virtual* representation. It is indeed the direct contrary. It is power unlimited placed in the hands of *an adverse* description, *because it is an adverse description*. And if they who compose the privileged body have not an interest, they must but too frequently have motives of pride, passion, petulance, peevish jealousy, or tyrannic suspicion, to urge them to treat the excluded people with contempt and rigour.

This is not a mere theory, though, whilst men are

men, it is a theory that cannot be false. I do not desire to revive all the particulars in my memory—I wish them to sleep for ever; but it is impossible I should wholly forget what happened in some parts of Ireland, with very few and short intermissions, from the year 1761 to the year 1766, both inclusive. In a country of miserable police, passing from the extremes of laxity to the extremes of rigour,—among a neglected, and therefore disorderly, populace,—if any disturbance or sedition from any grievance, real or imaginary, happened to arise, it was presently perverted from its true nature, often criminal enough in itself to draw upon it a severe appropriate punishment; it was metamorphosed into a conspiracy against the State, and prosecuted as such. Amongst the Catholics, as being by far the most numerous and the most wretched, all sorts of offenders against the laws must commonly be found. The punishment of low people for the offences usual among low people would warrant no inference against any descriptions of religion or of politics. Men of consideration from their age, their profession, or their character,—men of proprietary landed estates, substantial renters, opulent merchants, physicians, and titular bishops,—could not easily be suspected of riot in open day, or of nocturnal assemblies for the purpose of pulling down hedges, making breaches in park walls, firing barns, maiming cattle, and outrages of a similar nature, which characterise the disorders of an oppressed or a licentious populace.

But when the evidence given on the trial for such misdemeanours qualified them as overt acts of high treason, and when witnesses were found (such witnesses as they were) to depose to the taking of oaths of allegiance by the rioters to the king of France, to their being paid by his money, and embodied and exercised under his officers, to overturn the State for the purposes of that potentate,—in that case the rioters might (if the witness was believed) be supposed only the troops and persons more reputable, the leaders and commanders in such a rebellion. All classes in the obnoxious description who could not be suspected in the lower crime of riot, might be involved in the odium, in the suspicion, and sometimes in the punishment of a higher and far more criminal species of offence. These proceedings did not arise from any one of the Popery laws since repealed, but from this circumstance—that when it answered the purposes of an election party, or a malevolent person of influence to forge such plots, the people had no protection. The people of that description have no hold on the gentlemen who aspire to be popular representatives. The candidates neither love, nor respect, nor fear them individually or collectively. I do not think this evil (an evil amongst a thousand others) at this day entirely over; for I conceive I have lately seen some indication of a disposition perfectly similar to the old one; that is, a disposition to carry the imputation of crimes from persons to descriptions, and wholly to

alter the character and quality of the offences themselves.

This universal exclusion seems to me a serious evil, because many collateral oppressions besides what I have just now stated have arisen from it. In things of this nature, it would not be either easy or proper to quote chapter and verse; but I have great reason to believe, particularly since the Octennial Act, that several have refused at all to let their lands to Roman Catholics, because it would so far disable them from promoting such interests in counties as they were inclined to favour. They who consider also the state of all sorts of tradesmen, shopkeepers, and particularly publicans in towns, must soon discern the disadvantages under which those labour who have no votes. It cannot be otherwise, whilst the spirit of elections and the tendencies of human nature continue as they are. If property be artificially separated from franchise, the franchise must in some way or other, and in some proportion, naturally attract property to it. Many are the collateral disadvantages amongst a *privileged* people, which must attend on those who have *no* privileges.

Among the rich each individual, with or without a franchise, is of importance; the poor and the middling are no otherwise so than as they obtain some collective capacity, and can be aggregated to some corps. If legal ways are not found, illegal will be resorted to; and seditious clubs and confederacies, such as no man living holds in greater horror than I do, will grow and

flourish in spite, I am afraid, of anything which can be done to prevent the evil. Lawful enjoyment is the surest method to prevent unlawful gratification. Where there is property there will be less theft; where there is marriage there will always be less fornication.

I have said enough of the question of state, *as it affects the people merely as such.* But it is complicated with a political question relative to religion, to which it is very necessary I should say something; because the term *Protestant* which you apply is too general for the conclusions which one of your accurate understanding would wish to draw from it, and because a great deal of argument will depend on the use that is made of that term.

It is *not* a fundamental part of the settlement at the Revolution that the State should be Protestant without *any qualification of the term.* With a qualification it is unquestionably true: not in all its latitude. With the qualification, it was true before the Revolution. Our predecessors in legislation were not so irrational (not to say impious) as to form an operose ecclesiastical establishment, and even to render the State itself in some degree subservient to it, when their religion (if such it might be called) was nothing but a mere *negation* of some other—without any positive idea either of doctrine, discipline, worship, or morals in the scheme which they professed themselves, and which they imposed upon others even under penalties and incapacities—No! No! This never could have been

done even by reasonable atheists. They who think religion of no importance to the State have abandoned it to the conscience or caprice of the individual; they make no provision for it whatsoever, but leave every club to make or not a voluntary contribution towards its support, according to their fancies. This would be consistent. The other always appeared to me to be a monster of contradiction and absurdity. It was for that reason that, some years ago, I strenuously opposed the clergy who petitioned, to the number of about three hundred, to be freed from the subscription to the thirty-nine articles without proposing to substitute any other in their place. There never has been a religion of the State (the few years of the Parliament only excepted) but that of *the Episcopal Church of England*,—the Episcopal Church of England, before the Reformation connected with the See of Rome, since then disconnected and protesting against some of her doctrines, and against the whole of her authority as binding in our National Church. Nor did the fundamental laws of this kingdom (in Ireland it has been the same) ever know at any period any other Church *as an object of establishment*; or, in that light, any other Protestant religion. Nay, our Protestant *toleration* itself, at the Revolution and until within a few years, required a signature of thirty-six, and a part of the thirty-seventh, out of the thirty-nine articles. So little idea had they at the Revolution of *establishing* Protestantism indefinitely, that they did not indefinitely *tolerate* it under

that name. I do not mean to praise that strictness where nothing more than merely religious toleration is concerned. Toleration, being a part of moral and political prudence, ought to be tender and large. A tolerant Government ought not to be too scrupulous in its investigations, but may bear without blame not only very ill-grounded doctrines, but even many things that are positively vices, where they are *adulta et prævalida*. The good of the commonwealth is the rule which rides over the rest, and to this every other must completely submit.

The Church of Scotland knows as little of Protestantism *undefined* as the Churches of England and Ireland do. She has by the Articles of Union secured to herself the perpetual establishment of *the Confession of Faith*, and the *Presbyterian* Church government. In England, even during the troubled interregnum, it was not thought fit to establish a *negative* religion; but the Parliament settled the *Presbyterian* as the Church *discipline;* the *Directory* as the rule of public *worship;* and the *Westminster Catechism* as the institute of *faith*. This is to show that at no time was the Protestant religion, *undefined*, established here or anywhere else, as I believe. I am sure that when the three religions were established in Germany, they were expressly characterised and declared to be the *Evangelic*, the *Reformed*, and the *Catholic*, each of which has its Confession of Faith and its settled discipline; so that you always may know the best and the worst of them, to

enable you to make the most of what is good, and to correct or to qualify, or to guard against, whatever may seem evil or dangerous.

As to the coronation oath, to which you allude, as opposite to admitting a Roman Catholic to the use of any franchise whatsoever, I cannot think that the king would be perjured if he gave his assent to any regulation which Parliament might think fit to make with regard to that affair. The king is bound by law, as clearly specified in several Acts of Parliament, to be in communion with the Church of England. It is a part of the tenure by which he holds his crown; and though no provision was made till the Revolution, which could be called positive and valid in law, to ascertain this great principle, I have always considered it as in fact fundamental that the King of England should be of the Christian religion, according to the national legal church for the time being. I conceive it was so before the Reformation. Since the Reformation it became doubly necessary, because the king is the head of that Church,—in some sort an ecclesiastical person; and it would be incongruous and absurd to have the head of the Church of one faith, and the members of another. The king may *inherit* the crown as a *Protestant*, but he cannot *hold it*, according to law, without being a Protestant *of the Church of England*.

Before we take it for granted that the king is bound by his coronation oath not to admit any of his Catholic subjects to the rights and liberties which ought to belong

to them as Englishmen (not as religionists), or to settle the conditions or proportions of such admission by an Act of Parliament, I wish you to place before your eyes that oath itself, as it is settled in the Act of William and Mary.

" Will you to the utmost of your power maintain—
1 2 3
" The laws of God, the true profession of the gospel—
4
" and the Protestant reformed religion *as it is estab-*
5
" *lished by law.* And will you preserve unto *bishops*
" and clergy, and the churches committed to *their*
" charge, all such rights and privileges as by law do,
" or shall appertain to them, or any of them.—All this
" I promise to do."

Here are the coronation engagements of the king. In them I do not find one word to preclude His Majesty from consenting to any arrangement which Parliament may make with regard to the civil privileges of any part of his subjects.

It may not be amiss, on account of the light which it will throw on this discussion, to look a little more narrowly into the matter of that oath, in order to discover how far it has hitherto operated, or how far in future it ought to operate, as a bar to any proceedings of the Crown and Parliament in favour of those against whom it may be supposed that the king has engaged to

support the Protestant Church of England in the two kingdoms in which it is established by law. First, the king swears he will maintain to the utmost of his power "the laws of God." I suppose it means the natural moral laws. Secondly, he swears to maintain "the true profession of the gospel." By which, I suppose, is understood *affirmatively* the Christian religion." Thirdly, that he will maintain "the Protestant reformed religion." This leaves me no power of supposition or conjecture, for that Protestant reformed religion is defined and described by the subsequent words, "established by law," and in this instance, to define it beyond all possibility of doubt, he "swears to maintain the bishops and clergy, and the churches committed to their charge," in their rights present and future.

The oath as effectually prevents the king from doing anything to the prejudice of the Church in favour of sectaries, Jews, Mahometans, or plain avowed infidels, as if he should do the same thing in favour of the Catholics. You will see that it is the same Protestant Church, so described, that the king is to maintain and communicate with, according to the Act of Settlement of the 12th and 13th of William III. This Act of the 5th of Anne, made in prospect of the Union, is entitled, "An Act for securing the Church of England as by law established." It meant to guard the Church implicitly against any other mode of Protestant religion which might creep in by means of the

Union. It proves beyond all doubt that the Legislature did not mean to guard the Church on one part only, and to leave it defenceless and exposed upon every other. This Church, in that Act, is declared to be "fundamental and essential" for ever, in the constitution of the United Kingdom, so far as England is concerned; and I suppose as the law stands, even since the Independence, it is so in Ireland.

All this shows that the religion which the king is bound to maintain has a positive part in it as well as a negative; and that the positive part of it (in which we are in perfect agreement with the Catholics and with the Church of Scotland) is infinitely the most valuable and essential. Such an agreement we had with Protestant dissenters in England of those descriptions; who came under the Toleration Act of King William and Queen Mary,—an Act coeval with the Revolution, and which ought, on the principles of the gentlemen who oppose the relief to the Catholics, to have been held sacred and unalterable. Whether we agree with the present Protestant dissenters in the points at the Revolution held essential and fundamental among Christians, or in any other fundamental, at present it is impossible for us to know, because, at their own very earnest desire, we have repealed the Toleration Act of William and Mary, and discharged them from the signature required by that Act; and because, for the far greater part, they publicly declare against all manner of confessions of faith, even the *consensus*.

For reasons forcible enough at all times, but at this time particularly forcible with me, I dwell a little the longer upon this matter, and take the more pains, to put us both in mind that it was not settled at the Revolution, that the State should be Protestant, in the latitude of the term, but in a defined and limited sense only, and that, in that sense only, the king is sworn to maintain it. To suppose that the king has sworn with his utmost power to maintain what it is wholly out of his power to discover, or which, if he could discover, he might discover to consist of things directly contradictory to each other, some of them perhaps impious, blasphemous, and seditious upon principle, would be not only a gross, but a most mischievous absurdity. If mere dissent from the Church of Rome be a merit, he that dissents the most perfectly is the most meritorious. In many points we hold strongly with that Church. He that dissents throughout with that Church will dissent with the Church of England, and then it will be a part of his merit that he dissents with ourselves—a whimsical species of merit for any set of men to establish. We quarrel to extremity with those who, we know, agree with us in many things, but we are to be so malicious even in the principle of our friendships, that we are to cherish in our bosom those who accord with us in nothing, because whilst they despise ourselves, they abhor, even more than we do, those with whom we have some disagreement. A man is certainly the most

perfect Protestant, who protests against the whole Christian religion. Whether a person's having no Christian religion be a title to favour, in exclusion to the largest description of Christians who hold all the doctrines of Christianity, though holding along with them some errors and some superfluities, is rather more than any man who has not become recreant and apostate from his baptism, will, I believe, choose to affirm. The countenance given from a spirit of controversy to that negative religion may, by degrees, encourage light and unthinking people to a total indifference to everything positive in matters of doctrine; and, in the end, of practice too. If continued it would play the game of that sort of active, proselytising, and persecuting atheism, which is the disgrace and calamity of our time, and which we see to be as capable of subverting a government as any mode can be of misguided zeal for better things.

Now let us fairly see what course has been taken relative to those against whom, in part at least, the king has sworn to maintain a Church, *positive in its doctrine and its discipline.* The first thing done, even when the oath was fresh in the mouth of the sovereigns, was to give a toleration to Protestant dissenters, *whose doctrines they ascertained.* As to the mere civil privileges which the dissenters held as subjects before the Revolution, these were not touched at all. The laws have fully permitted in a qualification for all offices to such dissenters *an occasional conformity*—a thing I

believe singular, where tests are admitted. The Act called the Test Act itself is, with regard to them, grown to be hardly anything more than a dead letter. Whenever the dissenters cease by their conduct to give any alarm to the Government in Church and State, I think it very probable that even this matter, rather disgustful than inconvenient to them, may be removed, or at least so modified as to distinguish the qualification to those offices which really *guide the State* from those which are *merely instrumental*, or that some other and better tests may be put in their place.

So far as to England. In Ireland you have outrun us. Without waiting for an English example, you have totally, and without any modification whatsoever, repealed the test as to Protestant dissenters. Not having the Repealing Act by me, I ought not to say positively that there is no exception in it, but if it be what I suppose it is, you know very well that a Jew in religion, or a Mahometan, or even *a public, declared atheist* and blasphemer, is perfectly qualified to be Lord-Lieutenant, a Lord Justice, or even keeper of the king's conscience; and by virtue of his office (if with you it be as it is with us) administrator to a great part of the ecclesiastical patronage of the Crown.

Now let us deal a little fairly. We must admit that Protestant dissent was one of the quarters from which danger was apprehended at the Revolution, and against which a part of the coronation oath was peculiarly directed. By this unqualified repeal you

certainly did not mean to deny that it was the duty of the Crown to preserve the Church against Protestant dissenters; or taking this to be the true sense of the two Revolution Acts of King William, and of the previous and subsequent Union Acts of Queen Anne, you did not declare by this most unqualified repeal, by which you broke down all the barriers not invented, indeed, but carefully preserved at the Revolution,—you did not then and by that proceeding declare that you had advised the king to perjury towards God, and perfidy towards the Church. No! far, very far from it; you never would have done it if you did not think it could be done with perfect repose to the royal conscience, and perfect safety to the national established religion. You did this upon a full consideration of the circumstances of your country. Now, if circumstances required it, why should it be contrary to the king's oath —his Parliament judging on those circumstances—to restore to his Catholic people in such measure, and with such modification as the public wisdom shall think proper to add, *some part* in these franchises which they formerly had held without any limitation at all, and which, upon no sort of urgent reason at the time they were deprived of? If such means can with any probability be shown from circumstances rather to add strength to our mixed ecclesiastical and secular constitution than to weaken it, surely they are means infinitely to be preferred to penalties, incapacities, and proscriptions continued from generation to generation.

They are perfectly consistent with the other parts of the coronation oath in which the king swears to maintain "the laws of God and the true profession of the gospel, and to govern the people according to the statutes in Parliament agreed upon, and the laws and customs of the realm." In consenting to such a statute, the Crown would act at least as agreeably to the laws of God, and to the true profession of the gospel, and to the laws and customs of the kingdom, as George I. did when he passed the statute which took from the body of the people everything which to that hour, and even after the monstrous Acts of the 2d and 8th of Anne (the objects of our common hatred), they still enjoyed inviolate.

It is hard to distinguish, with the least degree of accuracy, what laws are fundamental, and what not. However, there is a distinction between them authorised by the writers on jurisprudence, and recognised in some of our statutes. I admit the Acts of King William and Queen Anne to be fundamental, but they are not the only fundamental laws. The law called *Magna Charta*, by which it is provided that "no man shall be disseised of his liberties and free customs but by the judgment of his peers or the laws of the land" (meaning clearly for some proved crime tried and adjudged), I take to be a *fundamental law*. Now, although this Magna Charta, or some of the Statutes establishing it, provide that that law shall be perpetual, and all Statutes contrary to it shall be void, yet I

cannot go so far as to deny the authority of statutes made in defiance of Magna Charta and all its principles. This, however, I will say, that it is a very venerable law made by very wise and learned men, and that the Legislature, in their attempt to perpetuate it, even against the authority of future Parliaments, have shown their judgment that it is *fundamental* on the same grounds and in the same manner as the Act of the 5th of Anne has considered and declared the establishment of the Church of England to be fundamental. Magna Charta, which secured these franchises to the subjects, regarded the rights of freeholders in counties to be as much a fundamental part of the constitution as the establishment of the Church of England was thought either at that time or in the Act of King William or in Act of Queen Anne.

The churchmen who led in that transaction certainly took care of the material interest of which they were the natural guardians. It is the first article of Magna Charta "that the Church of England shall be free," etc. etc. But at that period churchmen, and barons, and knights took care of the franchises and free customs of the people too. Those franchises are part of the constitution itself, and inseparable from it. It would be a very strange thing if there should not only exist anomalies in our laws—a thing not easy to prevent—but that the fundamental parts of the constitution should be perpetually and irreconcilably at variance with each other. I cannot persuade myself that the

lovers of our Church are not as able to find effectual ways of reconciling its safety with the franchises of the people, as the ecclesiastics of the thirteenth century were able to do. I cannot conceive how anything worse can be said of the Protestant religion of the Church of England than this, that wherever it is judged proper to give it a legal establishment, it becomes necessary to deprive the body of the people, if they adhere to their old opinions, of "their liberties and of all their free customs," and to reduce them to a state of *civil* servitude.

There is no man on earth, I believe, more willing than I am to lay it down as a fundamental of the constitution that the Church of England should be united and even identified with it; but, allowing this, I cannot allow that all *laws of regulation*, made from time to time in support of that fundamental law, are, of course, equally fundamental and equally unchangeable. This would be to confound all the branches of legislation and of jurisprudence. The *Crown* and the personal safety of the monarch are *fundamentals* in our constitution; yet, I hope that no man regrets that the rabble of statutes got together during the reign of Henry VIII. by which treasons are multiplied with so prolific an energy have been all repealed in a body, although they were all, or most of them, made in support of things truly fundamental in our constitution. So were several of the Acts by which the Crown exercised its supremacy, such as the Act of Elizabeth for making the *High Com-*

mission Courts and the like, as well as things made treason in the time of Charles II. None of this species of *secondary and subsidiary laws* have been held fundamental. They have yielded to circumstances, particularly where they were thought, even in their consequences or obliquely, to affect other fundamentals. How much more certainly ought they to give way, when, as in our case, they affect, not here and there in some particular point or in their consequence, but universally, collectively, and directly the fundamental franchises of a people equal to the whole inhabitants of several respectable kingdoms and states; equal to the subjects of the Kings of Sardinia or of Denmark; equal to those of the United Netherlands, and more than are to be found in all the states of Switzerland. This way of proscribing men by whole nations, as it were, from all the benefits of the constitution to which they were born, I never can believe to be politic or expedient, much less necessary for the existence of any State or Church in the world. Whenever I shall be convinced—which will be late and reluctantly—that the safety of the Church is utterly inconsistent with all the civil rights whatsoever of the far larger part of the inhabitants of our country, I shall be extremely sorry for it, because I shall think the church to be truly in danger. It is putting things into the position of an ugly alternative, into which I hope in God they never will be put.

I have said most of what occurs to me on the topics

you touch upon relative to the religion of the king and his coronation oath. I shall conclude the observations which I wished to submit to you on this point by assuring you that I think you the most remote that can be conceived from the metaphysicians of our times, who are the most foolish of men, and who, dealing in universals and essences, see no difference between more and less, and who of course would think that the reason of the law which obliged the king to be a communicant of the Church of England would be as valid to exclude a Catholic from being an exciseman, or to deprive a man who has five hundred a year under that description from voting on a par with a factitious Protestant dissenting freeholder of forty shillings.

Recollect, my dear friend, that it was a fundamental principle in the French monarchy, whilst it stood, that the State should be Catholic, yet the edict of Nantz gave, not a full ecclesiastical, but a complete civil *establishment*, with places of which only they were capable, to the Calvinists of France; and there were very few employments indeed of which they were not capable. The world praised the Cardinal de Richelieu, who took the first opportunity to strip them of their fortified places and cautionary towns. The same world held, and does hold in execration (so far as that business is concerned), the memory of Louis XIV. for the total repeal of that favourable edict, though the talk of "fundamental laws, established religion, religion of the prince, safety to the State," etc. etc. was then as largely

held, and with as bitter a revival of the animosities of the civil confusions during the struggles between the parties as now they can be in Ireland.

Perhaps there are persons who think that the same reasons do not hold when the religious relation of the sovereign and subject is changed, but they who have their shop full of false weights and measures, and who imagine that the adding or taking away the name of Protestant or Papist, Guelph or Ghibelline, alters all the principles of equity, policy, and prudence, leave us no common data upon which we can reason. I therefore pass by all this, which on you will make no impression, to come to what seems to be a serious consideration in your mind: I mean the dread you express of "reviewing for the purpose of altering the *principles of the Revolution.*" This is an interesting topic, on which I will, as fully as your leisure and mine permits, lay before you the ideas I have formed.

First, I cannot possibly confound in my mind all the things which were done at the Revolution with the *principles* of the Revolution. As in most great changes, many things were done from the necessities of the time, well or ill understood, from passion or from vengeance, which were not only not perfectly agreeable to its principles, but in the most direct contradiction to them. I shall not think that the *deprivation of some millions of people of all the rights of citizens, and all interest in the constitution in and to which they were born*, was a thing conformable to the *declared principles* of the Revolu-

tion. This I am sure is true relatively to England (where the operation of these *anti-principles* comparatively were of little extent); and some of our late laws, in repealing Acts made immediately after the Revolution, admit that some things then done were not done in the true spirit of the Revolution. But the Revolution operated differently in England and Ireland in many and these essential particulars. Supposing the principles to have been altogether the same in both kingdoms, by the application of those principles to very different objects, the whole spirit of the system was changed, not to say reversed. In England it was the struggle of the *great body* of the people for the establishment of their liberties against the efforts of a very *small faction* who would have oppressed them. In Ireland it was the establishment of the power of the smaller number at the expense of the civil liberties and properties of the far greater part, and at the expense of the political liberties of the whole. It was, to say the truth, not a revolution but a conquest, which is not to say a great deal in its favour. To insist on everything done in Ireland at the Revolution would be to insist on the severe and jealous policy of a conqueror in the crude settlement of his new acquisition as a *permanent* rule for its future government. This no power in no country that ever I heard of has done or professed to do, except in Ireland, where it is done, and possibly by some people will be professed. Time has, by degrees, in all other places and periods, blended and coalited

the conquered with the conquerors. So, after some time, and after one of the most rigid conquests that we read of in history, the Normans softened into the English. I wish you to turn your recollection to the fine speech of Cerealis to the Gauls, made to dissuade them from revolt. Speaking of the Romans,—"*Nos* quamvis toties lacessiti, jure victoriæ id solum vobis addidimus, quo pacem tueremur: nam neque quies gentium sine armis; neque arma sine stipendiis; neque stipendia sine tributis, haberi queant. *Cætera in communi sita sunt:* ipsi plerumque nostris exercitibus *presidetis:* ipsi has aliasque provincias *regitas: nil seperatum clausumve*—Proinde pacem et urbem, quam *victores victique eodem jure obtinemus*, amate, colite." You will consider whether the arguments used by that Roman to these Gauls would apply to the case in Ireland; and whether you could use so plausible a preamble to any severe warning you might think it proper to hold out to those who should resort to sedition, instead of supplication, to obtain any object that they may pursue with the governing power.

For a much longer period than that which had sufficed to blend the Romans with the nation to which of all others they were the most adverse, the Protestants settled in Ireland consider themselves in no other light than that of a sort of a colonial garrison to keep the natives in subjection to the other state of Great Britain. The whole spirit of the Revolution in Ireland was that of not the mildest conqueror. In truth,

the spirit of those proceedings did not commence at that era, nor was religion of any kind their primary object. What was done was not in the spirit of a contest between two religious factions, but between two adverse nations. The statutes of Kilkenny show that the spirit of the popery laws, and some even of their actual provisions, as applied between Englishry and Irishry, had existed in that harassed country before the words Protestant and Papist were heard of in the world. If we read Baron Finglass, Spenser, and Sir John Davis, we cannot miss the true genius and policy of the English Government there before the Revolution, as well as during the whole reign of Queen Elizabeth. Sir John Davis boasts of the benefits received by the natives by extending to them the English law, and turning the whole kingdom into shire ground. But the appearance of things alone was changed. The original scheme was never deviated from for a single hour. Unheard-of confiscations were made in the northern parts, upon grounds of plots and conspiracies, never proved upon their supposed authors. The war of chicane succeeded to the war of arms and of hostile statutes; and a regular series of operations was carried on, particularly from Chichester's time, in the ordinary courts of justice, and by special commissions and inquisitions; first, under pretence of tenures, and then of titles in the Crown, for the purpose of the total extirpation of the interest of the natives in their own soil—until this species of

subtle ravage, being carried to the last excess of oppression and insolence under Lord Strafford, it kindled the flames of that rebellion which broke out in 1641. By the issue of that war, by the turn which the Earl of Clarendon gave to things at the Restoration, and by the total reduction of the kingdom of Ireland in 1691, the ruin of the native Irish, and, in a great measure too, of the first races of the English, was completely accomplished. The new English interest was settled with as solid a stability as anything in human affairs can look for. All the penal laws of that unparalleled code of oppression, which were made after the last event, were manifestly the effects of national hatred and scorn towards a conquered people, whom the victors delighted to trample upon, and were not at all afraid to provoke. They were not the effect of their fears, but of their security. They who carried on this system looked to the irresistible force of Great Britain for their support in their acts of power. They were quite certain that no complaints of the natives would be heard on this side of the water with any other sentiments than those of contempt and indignation. Their cries served only to augment their torture. Machines which could answer their purposes so well must be of an excellent contrivance. Indeed, in England, the double name of the complainant, Irish and Papists (it would be hard to say which singly was the most odious), shut up the hearts of every one against them. Whilst that temper pre-

vailed in all its force to a time within our memory, every measure was pleasing and popular, just in proportion as it tended to harass and ruin a set of people who were looked upon as enemies to God and man; and, indeed, as a race of bigoted savages who were a disgrace to human nature itself.

However, as the English in Ireland began to be domiciliated, they began also to recollect that they had a country. The *English interest*, at first by faint and almost insensible degrees, but at length openly and avowedly, became an *independent Irish interest;* full as independent as it could ever have been if it had continued in the persons of the native Irish, and it was maintained with more skill and more consistency than probably it would have been in theirs. With their views the *Anglo-Irish* changed their maxims; it was necessary to demonstrate to the whole people that there was something at least of a common interest combined with the independency, which was to become the object of common exertions. The mildness of Government produced the first relaxation towards the Irish; the necessities and, in part too, the temper that predominated at this great change, produced the second and the most important of these relaxations. English Government and Irish Legislature felt jointly the propriety of this measure. The Irish Parliament and nation became independent.

The true Revolution to you—that which most intrinsically and substantially resembled the English

Revolution of 1688—was the Irish Revolution of 1782. The Irish Parliament of 1782 bore little resemblance to that which sat in that kingdom after the period of the first of these Revolutions. It bore a much nearer resemblance to that which sat under King James. The change of the Parliament in 1782 from the character of the Parliament which, as a token of its indignation, had burned all the journals indiscriminately of the former Parliament in the Council Chamber, was very visible. The address of King William's Parliament—the Parliament which assembled after the Revolution—amongst other causes of complaint (many of them sufficiently just), complains of the repeal by their predecessors of Poyning's law; no absolute idol with the Parliament of 1782.

Great Britain, finding the Anglo-Irish highly animated with a spirit which had indeed shown itself before, though with little energy and many interruptions, and therefore suffered a multitude of uniform precedents to be established against it, acted, in my opinion, with the greatest temperance and wisdom. She saw that the disposition of the *leading part* of the nation would not permit them to act any longer the part of a *garrison*. She saw that true policy did not require that they ever should have appeared in that character, or, if it had done so formerly, the reasons had now ceased to operate. She saw that the Irish of her race were resolved to build their constitution and their politics upon another bottom. With those

things under her view, she instantly complied with the whole of your demands, without any reservation whatsoever. She surrendered that boundless superiority for the preservation of which, and the acquisition, she had supported the English colonies in Ireland for so long a time, and so vast an expense (according to the standard of those ages) of her blood and treasure.

When we bring before us the matter which history affords for our selection, it is not improper to examine the spirit of the several precedents which are candidates for our choice. Might it not be as well for your statesmen on the other side of the water to take an example from this latter, and surely more conciliatory Revolution, as a pattern for your conduct towards your own fellow-citizens, than from that of 1688, when a paramount sovereignty over both you and them was more loftily claimed, and more sternly exerted, than at any former or at any subsequent period. Great Britain, in 1782, rose above the vulgar ideas of policy, the ordinary jealousies of State, and all the sentiments of national pride and national ambition. If she had been more disposed than, I thank God for it, she was to listen to the suggestions of passion than to the dictates of prudence, she might have urged the principles, the maxims, the policy, the practice of the Revolution, against the demands of the leading description in Ireland, with full as much plausibility, and full as good a grace, as any amongst them can possibly do

against the supplications of so vast and extensive a description of their own people.

A good deal, too, if the spirit of domination and exclusion had prevailed in England, might have been excepted against some of the means then employed in Ireland whilst her claims were in agitation. They were, at least, as much out of ordinary course as those which are now objected against admitting your people to any of the benefits of an English constitution. Most certainly, neither with you nor here was any one ignorant of what was at that time said, written, and done. But on all sides we separated the means from the end, and we separated the cause of the moderate and rational from the ill-intentioned and seditious, which, on such occasions, are so frequently apt to march together. At that time, on your part, you were not afraid to review what was done at the Revolution of 1688, and what had been continued during the subsequent flourishing period of the British Empire. The change then made was a great and fundamental alteration. In the execution it was an operose business on both sides of the water. It required the repeal of several laws, the modification of many, and a new course to be given to an infinite number of legislative, judicial, and official practices and usages in both kingdoms. This did not frighten any of us. You are now asked to give, in some moderate measure, to your fellow-citizens what Great Britain gave to you without any measure at all. Yet, notwithstanding all

the difficulties at the time and the apprehensions which some very well-meaning people entertained, through the admirable temper in which this revolution (or restoration in the nature of a revolution) was conducted in both kingdoms, it has hitherto produced no inconvenience to either, and, I trust, with the continuance of the same temper, that it never will. I think that this small, inconsiderable change (relative to an exclusive statute not made at the Revolution) for restoring the people to the benefits from which the green soreness of a civil war had not excluded them, will be productive of no sort of mischief whatsoever. Compare what was done in 1782 with what is wished in 1792; consider the spirit of what has been done at the several periods of reformation, and weigh maturely whether it be exactly true that conciliatory concessions are of good policy only in discussions between nations, but that among descriptions in the same nation they must always be irrational and dangerous. What have you suffered in your peace, your prosperity, or, in what ought ever to be dear to a nation, your glory, by the last act by which you took the property of that people under the protection of the *laws?* What reasons have you to dread the consequences of admitting the people possessing that property to some share in the protection of the *constitution?*

I do not mean to trouble you with anything to remove the objections—I will not call them arguments —against this measure, taken from a ferocious hatred

to all that numerous description of Christians. It would be to pay a poor compliment to your understanding or your heart. Neither *your* religion nor *your* politics consists "in odd perverse antipathies." You are not resolved to persevere in proscribing from the constitution so many millions of your countrymen, because, in contradiction to experience and to common sense, you think proper to imagine that their principles are subversive of common human society. To that I shall only say, that whosoever has a temper which can be gratified by indulging himself in these good-natured fancies, ought to do a great deal more. For an exclusion from the privileges of British subjects is not a cure for so terrible a distemper of the human mind as they are pleased to suppose in their countrymen. I rather conceive a participation in those privileges to be itself a remedy for some mental disorders.

As little shall I detain you with matters that can as little obtain admission into a mind like yours; such as the fear, or pretence of fear, that, in spite of your own power, and the trifling power of Great Britain, you may be conquered by the Pope; or that this commodious bugbear (who is of infinitely more use to those who pretend to fear, than to those who love him) will absolve His Majesty's subjects from their allegiance, and send over the Cardinal of York to rule you as his viceroy; or that, by the plenitude of his power, he will take that fierce tyrant, the King of the French, out of his jail, and arm that nation (which on all occa-

sions treats His Holiness so very politely) with his bulls and pardons, to invade poor old Ireland, to reduce you to Popery and slavery, and to force the free-born, naked feet of your people into the wooden shoes of that arbitrary monarch. I do not believe that discourses of this kind are held, or that anything like them will be held, by any who walk about without a keeper. Yet I confess that, on occasions of this nature, I am the most afraid of the weakest reasonings, because they discover the strongest passions. These things will never be brought out in definite propositions. They would not prevent pity towards any persons; they would only cause it for those who were capable of talking in such a strain. But I know, and am sure, that such ideas as no man will distinctly produce to another, or hardly venture to bring in any plain shape to his own mind—he will utter in obscure, ill-explained doubts, jealousies, surmises, fears, and apprehensions; and that, in such a fog, they will appear to have a good deal of size, and will make an impression, when, if they were clearly brought forth and defined, they would meet with nothing but scorn and derision.

There is another way of taking an objection to this concession, which I admit to be something more plausible, and worthy of a more attentive examination. It is, that this numerous class of people is mutinous, disorderly, prone to sedition, and easy to be wrought upon by the insidious arts of wicked and designing

men; that, conscious of this, the sober, rational, and wealthy part of that body, who are totally of another character, do by no means desire any participation for themselves, or for any one else of their description, in the franchises of the British constitution.

I have great doubt of the exactness of any part of this observation. But let us admit that the body of the Catholics are prone to sedition (of which, as I have said, I entertain much doubt), is it possible that any fair observer, or fair reasoner, can think of confining this description to them only? I believe it to be possible for men to be mutinous and seditious who feel no grievance; but I believe no man will assert seriously that, when people are of a turbulent spirit, the best way to keep them in order is to furnish them with something substantial to complain of.

You separate very properly the sober, rational, and substantial part of their description from the rest. You give, as you ought to do, weight only to the former. What I have always thought of the matter is this—that the most poor, illiterate, and uninformed creatures upon earth are judges of a *practical* oppression. It is a matter of feeling; and as such persons generally have felt most of it, and are not of an overlively sensibility, they are the best judges of it. But for the *real cause*, or the *appropriate remedy*, they ought never to be called into council about the one or the other. They ought to be totally shut out; because their reason is weak; because, when once roused, their

passions are ungoverned; because they want information; because the smallness of the property, which individually they possess, renders them less attentive to the consequence of the measures they adopt in affairs of moment. When I find a great cry amongst the people who speculate little, I think myself called seriously to examine into it, and to separate the real cause from the ill effects of the passion it may excite; and the bad use which artful men may make of an irritation of the popular mind. Here we must be aided by persons of a contrary character; we must not listen to the desperate or the furious; but it is therefore necessary for us to distinguish who are the *really* indigent, and the *really* intemperate. As to the persons who desire this part in the constitution, I have no reason to imagine that they are men who have nothing to lose and much to look for in public confusion. The popular meeting, from which apprehensions have been entertained, has assembled. I have accidentally had conversation with two friends of mine, who know something of the gentleman who was put into the chair upon that occasion; one of them has had money transactions with him; the other, from curiosity, has been to see his concerns; they both tell me he is a man of some property; but you must be the best judge of this, who by your office are likely to know his transactions. Many of the others are certainly persons of fortune; and all, or most, fathers of families, men in respectable ways of life, and some

of them far from contemptible, either for their information, or for the abilities which they have shown in the discussion of their interests. What such men think it for their advantage to acquire, ought not, *prima facie*, to be considered as rash or heady, or incompatible with the public safety or welfare.

I admit that men of the best fortunes and reputations, and of the best talents and education too, may, by accident, show themselves furious and intemperate in their desires. This is a great misfortune when it happens; for the first presumptions are undoubtedly in their favour. We have two standards of judging in this case of the sanity and sobriety of any proceedings—of unequal certainty indeed, but neither of them to be neglected: the first is by the value of the object sought, the next is by the means through which it is pursued.

The object pursued by the Catholics is, I understand, and have all along reasoned as if it were so, in some degree or measures to be again admitted to the franchises of the constitution. Men are considered as under some derangement of their intellects when they see good and evil in a different light from other men; when they choose nauseous and unwholesome food, and reject such as to the rest of the world seems pleasant, and is known to be nutritive. I have always considered the British constitution, not to be a thing in itself so vicious, as that none but men of deranged understanding, and turbulent tempers could desire a

share in it; on the contrary, I should think very indifferently of the understanding and temper of any body of men who did not wish to partake of this great and acknowledged benefit. I cannot think quite so favourably either of the sense or temper of those—if any such there are—who would voluntarily persuade their brethren that the object is not fit for them, or they for the object. Whatever may be my thoughts concerning them, I am quite sure that they who hold such language must forfeit all credit with the rest. This is infallible—if they conceive any opinion of their judgment, they cannot possibly think them their friends. There is, indeed, one supposition which would reconcile the conduct of such gentlemen to sound reason, and to the purest affection towards their fellow-sufferers; it is that they act under the impression of a well-grounded fear for the general interest. If they should be told, and should believe the story that they dare attempt to make their condition better, they will infallibly make it worse—that if they aim at obtaining liberty, they will have their slavery doubled — that their endeavour to put themselves upon anything which approaches towards an equitable footing with their fellow-subjects will be considered as an indication of a seditious and rebellious disposition — such a view of things ought perfectly to restore the gentlemen who so anxiously dissuade their countrymen from wishing a participation with the privileged part of the people to the good opinion of their fellows. But what is to

them a very full justification, is not quite so honourable to that power from whose maxims and temper so good a ground of rational terror is furnished. I think arguments of this kind will never be used by the friends of a Government which I greatly respect; or by any of the leaders of an Opposition whom I have the honour to know, and the sense to admire. I remember Polybius tells us, that during his captivity in Italy as a Peloponnesian hostage, he solicited old Cato to intercede with the senate for his release, and that of his countrymen; this old politician told him that he had better continue in his present condition, however irksome, than apply again to that formidable authority for their relief; that he ought to imitate the wisdom of his countryman Ulysses, who, when he was once out of the den of the Cyclops, had too much sense to venture again into the same cavern. But I conceive too high an opinion of the Irish Legislature to think that they are to their fellow-citizens what the grand oppressors of mankind were to a people whom the fortune of war had subjected to their power. For though Cato could use such a parallel with regard to his senate, I should really think it nothing short of impious to compare an Irish Parliament to a den of Cyclops. I hope the people, both here and with you, will always apply to the House of Commons with becoming modesty; but at the same time with minds unembarrassed with any sort of terror.

As to the means which the Catholics employ to obtain this object, so worthy of sober and rational minds, I do admit that such means may be used in the pursuit of it, as may make it proper for the Legislature, in this case, to defer their compliance until the demandants are brought to a proper sense of their duty. A concession in which the governing power of our country loses its dignity is dearly bought, even by him who obtains his object. All the people have a deep interest in the dignity of Parliament. But as the refusal of franchises which are drawn out of the first vital stamina of the British constitution, is a very serious thing, we ought to be very sure that the manner and spirit of the application is offensive and dangerous indeed, before we ultimately reject all applications of this nature. The mode of application, I hear, is by petition. It is the manner in which all the sovereign powers in the world are approached; and I never heard (except in the case of James II.) that any prince considered this manner of supplication to be contrary to the humility of a subject, or to the respect due to the person or authority of the sovereign. This rule and a correspondent practice are observed from the Grand Seignior down to the most petty Prince or Republic in Europe.

You have sent me several papers, some in print, some in manuscript. I think I had seen all of them, except the formula of association. I confess they appear to me to contain matter mischievous and cap-

able of giving alarm, if the spirit in which they are written should be found to make any considerable progress. But I am at a loss to know how to apply them as objections to the case now before us. When I find that the *general committee*, which acts for the Roman Catholics in Dublin, prefers the association proposed in the written draft you have sent me, to a respectful application in Parliament, I shall think the persons who sign such a paper to be unworthy of any privilege which may be thought fit to be granted; and that such men ought, by *name*, to be excepted from any benefit under the constitution to which they offer this violence. But I do not find that this form of a seditious league has been signed by any person whatsoever, either on the part of the supposed projectors, or on the part of those whom it is calculated to seduce. I do not find on inquiry that such a thing was mentioned, or even remotely alluded to, in the general meeting of the Catholics, from which so much violence was apprehended. I have considered the other publications signed by individuals on the part of certain societies—I may mistake, for I have not the honour of knowing them personally, but I take Mr. Butler and Mr. Tandy not to be Catholics, but members of the Established Church. Not *one* that I recollect of these publications which you and I equally dislike appears to be written by persons of that persuasion. Now, if, whilst a man is doubtfully soliciting a favour from Parliament, any person should choose, in an improper

manner, to show his inclination towards the cause depending; and if that *must* destroy the cause of the petitioner, then not only the petitioner, but the Legislature itself is in the power of any weak friend or artful enemy that the supplicant or that the Parliament may have. A man must be judged by his own actions only. Certain Protestant dissenters make seditious propositions to the Catholics, which it does not appear that they have yet accepted. It would be strange that the tempter should escape all punishment, and that he who, under circumstances full of seduction and full of provocation, has resisted the temptation, should incur the penalty. You know that with regard to the dissenters, who are *stated* to be the chief movers in this vile scheme of altering the principles of election to a right of voting by the head, you are not able (if you ought even to wish such a thing) to deprive them of any part of the franchises and privileges which they hold on a footing of perfect equality with yourselves. *They* may do what they please with constitutional impunity; but the others cannot even listen with civility to an invitation from them to an ill-judged scheme of liberty, without forfeiting for ever all hopes of any of those liberties which we admit to be sober and rational.

It is known, I believe, that the greater, as well as the sounder part of our excluded countrymen have not adopted the wild ideas and wilder engagements which have been held out to them; but have rather chosen to

hope small and safe concessions from the legal power, than boundless objects from trouble and confusion. This mode of action seems to me to mark men of sobriety, and to distinguish them from those who are intemperate from circumstance or from nature. But why do they not instantly disclaim and disavow those who make such advances to them? In this, too, in my opinion, they show themselves no less sober and circumspect. In the present moment, nothing short of insanity could induce them to take such a step. Pray consider the circumstances. Disclaim, says somebody, all union with the dissenters. Right —but when this your injunction is obeyed, shall I obtain the object which I solicit from *you?* Oh, no, nothing at all like it! But, in punishing us by an exclusion from the constitution through the great gate, for having been invited to enter into it by a postern, will you punish by deprivation of their privileges, or mulct in any other way, those who have tempted us? Far from it—we mean to preserve all *their* liberties and immunities, as *our* life-blood. We mean to cultivate *them* as brethren, whom we love and respect—with *you* we have no fellowship. We can bear with patience their enmity to ourselves; but their friendship with you we will not endure. But mark it well! All our quarrels with *them* are always to be revenged upon you. Formerly it is notorious that we should have resented with the highest indignation your presuming to show any ill-will to them. You must not suffer

them now to show any good-will to you. Know—and take it once for all—that it is, and ever has been, and ever will be, a fundamental maxim in our politics, that you are not to have any part, or shadow, or name of interest whatever in our State; that we look upon you as under an irreversible outlawry from our constitution—as perpetual and unalliable aliens.

Such, my dear sir, is the plain nature of the argument drawn from the revolution maxims, enforced by a supposed disposition in the Catholics to unite with the dissenters. Such it is, though it were clothed in never such bland and civil forms, and wrapped up, as a poet says, in a thousand "artful folds of sacred lawn." For my own part, I do not know in what manner to shape such arguments so as to obtain admission for them into a rational understanding. Everything of this kind is to be reduced, at last, to threats of power. I cannot say *væ victis*, and then throw the sword into the scale. I have no sword; and if I had, in this case most certainly I would not use it as a make-weight in political reasoning.

Observe, on these principles, the difference between the procedure of the Parliament and the dissenters towards the people in question. One employs courtship, the other force. The dissenters offer bribes, the Parliament nothing but the *front negative* of a stern and forbidding authority. A man may be very wrong in his ideas of what is good for him. But no man affronts me, nor can therefore justify my affronting

him, by offering to make me as happy as himself, according to his own ideas of happiness. This the dissenters do to the Catholics. You are on the different extremes. The dissenters offer, with regard to constitutional rights and civil advantages of all sorts, *everything;* you refuse *everything.* With them there is boundless, though not very assured hope; with you, a very sure and very unqualified despair. The terms of alliance from the dissenters offer a representation of the commons, chosen out of the people by the head. This is absurdly and dangerously large in my opinion; and that scheme of election is known to have been, at all times, perfectly odious to me. But I cannot think it right of course to punish the Irish Roman Catholics by a universal exclusion, because others, whom you would not punish at all, propose a universal admission. I cannot dissemble to myself that in this very kingdom many persons who are not in the situation of the Irish Catholics, but who, on the contrary, enjoy the full benefit of the constitution as it stands, and some of whom, from the effect of their fortunes, enjoy it in a large measure, had some years ago associated to procure great and undefined changes (they considered them as reforms) in the popular part of the constitution. Our friend, the late Mr. Flood (no slight man), proposed in his place, and in my hearing, a representation not much less extensive than this for England; in which every house was to be inhabited by a voter—*in addition* to all the actual votes by other titles (some of the

corporate) which we know do not require a house or a shed. Can I forget that a person of the very highest rank, of very large fortune, and of the first class of ability, brought a Bill into the House of Lords, in the headquarters of aristocracy, containing identically the same project, for the supposed adoption of which by a club or two, it is thought right to extinguish all hopes in the Roman Catholics of Ireland? I cannot say it was very eagerly embraced or very warmly pursued. But the Lords neither did disavow the Bill, nor treat it with any disregard, nor express any sort of disapprobation of its nobler author, who has never lost, with king or people, the least degree of the respect and consideration which so justly belong to him.

I am not at all enamoured, as I have told you, with this plan of representation; as little do I relish any bandings or associations for procuring it. But if the question was to be put to you and me—*universal* popular representation, or *none at all for us and ours* —we should find ourselves in a very awkward position. I do not like this kind of dilemmas, especially when they are practical.

Then, since our oldest fundamental laws follow, or rather couple, freehold with franchise; since no principle of the Revolution shakes these liberties; since the oldest of one of the best monuments of the constitution demands for the Irish the privilege which they supplicate; since the principles of the Revolution coincide with the declarations of the Great Charter;

since the practice of the Revolution, in this point, did not contradict its principles; since, from that event, twenty-five years had elapsed, before a domineering party, on a party principle, had ventured to disfranchise, without any proof whatsoever of abuse, the greater part of the community; since the king's coronation oath does not stand in his way to the performance of his duty to all his subjects; since you have given to all other dissenters these privileges without limit, which are hitherto withheld, without any limitation whatsoever, from the Catholics; since no nation in the world has ever been known to exclude so great a body of men (not born slaves) from the civil State, and all the benefits of its constitution; the whole question comes before Parliament as a matter for its prudence. I do not put the thing on a question of right. That discretion which in judicature is well said by Lord Coke to be a crooked cord, in legislature is a golden rule. Supplicants ought not to appear too much in the character of litigants. If the subject thinks so highly and reverently of the sovereign authority as not to claim anything of right, so that it may seem to be independent of the power and free choice of its government; and if the sovereign, on his part, considers the advantages of the subjects as their right, and all their reasonable wishes as so many claims; in the fortunate conjunction of these mutual dispositions are laid the foundations of a happy and prosperous commonwealth. For my own

part, desiring of all things that the authority of the Legislature under which I was born, and which I cherish, not only with a dutiful awe, but with a partial and cordial affection, to be maintained in the utmost possible respect, I never will suffer myself to suppose, that, at bottom, their discretion will be found to be at variance with their justice.

The whole being at discretion, I beg leave just to suggest some matters for your consideration—Whether the Government, in Church or State, is likely to be more secure by continuing causes of grounded discontent, to a very great number (say two millions) of the subjects? or whether the constitution, combined and balanced as it is, will be rendered more solid by depriving so large a part of the people of all concern, or interest, or share, in its representation, actual or *virtual?* I here mean to lay an emphasis on the word *virtual.* Virtual representation is that in which there is a communion of interests, and a sympathy in feelings and desires between those who act in the name of any description of people, and the people in whose name they act, though the trustees are not actually chosen by them. This is virtual representation. Such a representation I think to be, in many cases, even better than the actual. It possesses most of its advantages, and is free from many of its inconveniences; it corrects the irregularities in the literal representation when the shifting current of human affairs, or the acting of public interests in different

ways, carry it obliquely from its first line of direction. The people may err in their choice; but common interest and common sentiment are rarely mistaken. But this sort of virtual representation cannot have a long or sure existence, if it has not a substratum in the actual. The member must have some relation to the constituent. As things stand, the Catholic, as a Catholic, and belonging to a description, has no *virtual* relation to the representative, but the *contrary*. There is a relation in mutual obligation. Gratitude may not always have a very lasting power; but the frequent recurrence of an application for favours will revive and refresh it, and will necessarily produce some degree of mutual attention. It will produce at least acquaintance. The several descriptions of people will not be kept so much apart as they now are, as if they were not only separate nations, but separate species. The stigma and reproach, the hideous mask will be taken off, and men will see each other as they are. Sure I am, that there have been thousands in Ireland, who have never conversed with a Roman Catholic in their whole lives, unless they happened to talk to their gardener's workmen, or to ask their way, when they had lost it, in their sports; or, at best, who had known them only as footmen, or other domestics, of the second and third order: and so averse were they, some time ago, to have them near their persons, that they would not employ even those who could never find their way beyond the stable. I well remember a

great, and in many respects a good man, who advertised for a blacksmith; but at the same time added, he must be a Protestant. It is impossible that such a state of things, though natural goodness in many persons will undoubtedly make exceptions, must not produce alienation on the one side, and pride and insolence on the other.

Reduced to a question of discretion, and that discretion exercised solely upon what will appear best for the conservation of the State on its present basis, I should recommend it to your serious thoughts, whether the narrowing of the foundation is always the best way to secure the building? The body of disfranchised men will not be perfectly satisfied to remain always in that state. If they are not satisfied, you have two millions of subjects in your bosom full of uneasiness; not that they cannot overturn the Act of Settlement, and put themselves and you under an arbitrary master; or that they are not premitted to spawn a hydra of wild republics, on principles of a pretended natural equality in man; but because you will not suffer them to enjoy the ancient, fundamental, tried advantages of a British constitution; that you will not permit them to profit of the protection of a common father, or the freedom of common citizens; and that the only reason which can be assigned for this disfranchisement has a tendency more deeply to ulcerate their minds than the act of exclusion itself. What the consequence of such feelings must be, it is for you to look to. To warn is not to menace.

I am far from asserting that men will not excite disturbances without just cause. I know that such an assertion is not true. But neither is it true that disturbances have never just complaints for their origin. I am sure that it is hardly prudent to furnish them with such causes of complaint as every man who thinks the British constitution a benefit may think at least colourable and plausible.

Several are in dread of the manœuvres of certain persons among the dissenters, who turn this ill-humour to their own ill purposes. You know better than I can how much these proceedings of certain among the dissenters are to be feared. You are to weigh, with the temper which is natural to you, whether it may be for the safety of our establishment, that the Catholics should be ultimately persuaded that they have no hope to enter into the constitution but through the dissenters.

Think, whether this be the way to prevent or dissolve factious combinations against the Church or the State. Reflect seriously on the possible consequences of keeping in the heart of your country a bank of discontent, every hour accumulating, upon which every description of seditious men may draw at pleasure. They whose principles of faction will dispose them to the establishment of an arbitrary monarchy, will find a nation of men who have no sort of interest in freedom; but who will have an interest in that equality of justice or favour with which a wise despot

must view all his subjects who do not attack the foundations of his power. Love of liberty itself may, in such men, become the means of establishing an arbitrary domination. On the other hand, they who wish for a democratic republic, will find a set of men who have no choice between civil servitude, and the entire ruin of a mixed constitution.

Suppose the people of Ireland divided into three parts; of these (I speak within compass) two are Catholic. Of the remaining third one-half is composed of dissenters. There is no natural union between those descriptions. It may be produced. If the two parts Catholic be driven into a close confederacy with half the third part of Protestants, with a view to a change in the constitution in Church or State, or both, and you rest the whole of their security on a handful of gentlemen, clergy, and their dependants; compute the strength *you have in Ireland* to oppose to grounded discontent, to capricious innovation, to blind popular fury, and to ambitious turbulent intrigue.

You mention that the minds of some gentlemen are a good deal heated, and that it is often said that, rather than submit to such persons having a share in their franchises, they would throw up their independence and precipitate a union with Great Britain. I have heard a discussion concerning such a union amongst all sorts of men ever since I remember anything. For my own part, I have never been able to bring my mind to anything clear and decisive upon

the subject. There cannot be a more arduous question. As far as I can form an opinion, it would not be for the mutual advantage of the two kingdoms. Persons, however, more able than I am, think otherwise. But, whatever the merits of this union may be, to make it a *menace,* it must be shown to be an *evil;* and an evil more particularly to those who are threatened with it than to those who hold it out as a terror. I really do not see how this threat of a union can operate, or that the Catholics are more likely to be losers by that measure than the Churchmen.

The humours of the people, and of politicians too, are so variable in themselves, and are so much under the occasional influence of some leading men, that it is impossible to know what turn the public mind here would take on such an event. There is but one thing certain concerning it. Great divisions and vehement passions would precede this union, both on the measure itself and on its terms; and particularly, this very question of a share in the representation for the Catholics, from whence the project of a union originated, would form a principal part in the discussion; and in the temper in which some gentlemen seem inclined to throw themselves, by a sort of high indignant passion, into the scheme, those points would not be deliberated with all possible calmness.

From my best observation I should greatly doubt whether, in the end, these gentlemen would obtain their object, so as to make the exclusion of two

millions of their countrymen a fundamental article in the union. The demand would be of a nature quite unprecedented. You might obtain the union; and yet a gentleman who, under the new union establishment, would aspire to the honour of representing his country, might possibly be as much obliged, as he may fear to be, under the old separate establishment, to the unsupportable mortification of asking his neighbours, who have a different opinion concerning the elements in the sacrament for their votes.

I believe, nay, I am sure, that the people of Great Britain, with or without a union, might be depended upon, in cases of any real danger, to aid the Government of Ireland with the same cordiality as they would support their own, against any wicked attempts to shake the security of the happy constitution in Church and State. But before Great Britain engages in any quarrel, the *cause of the dispute* would certainly be a part of her consideration. If confusions should arise in that kingdom from too steady an attachment to a proscriptive monopolising system, and from the resolution of regarding the franchise, and in it the security of the subject as belonging rather to religious opinions than to civil qualification and civil conduct, I doubt whether you might quite certainly reckon on obtaining an aid of force from hence for the support of that system. We might extend your distractions to this country by taking part in them. England will be indisposed, I suspect, to send an army for the conquest

of Ireland. What was done in 1782 is a decisive proof of her sentiments of justice and moderation. She will not be fond of making another American war in Ireland. The principles of such a war would but too much resemble the former one. The well-disposed and the ill-disposed in England would (for different reasons perhaps) be equally averse to such an enterprise. The confiscations, the public auctions, the private grants, the plantations, the transplantations, which formerly animated so many adventurers, even among sober citizens, to such Irish expeditions, and which possibly might have animated some of them to the American, can have no existence in the case that we suppose.

Let us form a supposition (no foolish or ungrounded supposition) that in an age when men are infinitely more disposed to heat themselves with political than religious controversies, the former should entirely prevail, as we see that in some places they have prevailed, over the latter; and that the Catholics of Ireland, from the courtship paid them on the one hand, and the high tone of refusal on the other, should, in order to enter into all the rights of subjects, all become Protestant dissenters, and as the others do, take all your oaths. They would all obtain their civil objects; and the change, for any thing I know to the contrary (in the dark as I am about the Protestant dissenting tenets), might be of use to the health of their souls. But, what security our constitution in Church or State

could derive from that event I cannot possibly discern. Depend upon it, it is as true as nature is true, that if you force them out of the religion of habit, education, or opinion, it is not to yours they will ever go. Shaken in their minds, they will go to that where the dogmas are fewest; where they are the most uncertain; where they lead them the least to a consideration of what they have abandoned. They will go to that uniformly democratic system to whose first movements they owed their emancipation. I recommend you seriously to turn this in your mind. Believe that it requires your best and maturest thoughts. Take what course you please—union or no union; whether the people remain Catholics or become Protestant dissenters, sure it is, that the present state of monopoly *cannot* continue.

If England were animated, as I think she is not, with her former spirit of domination, and with the strong theological hatred which she once cherished for that description of her fellow-Christians and fellow-subjects, I am yet convinced, that after the fullest success in a ruinous struggle, you would be obliged to abandon that monopoly. We were obliged to do this, even when everything promised success in the American business. If you should make this experiment at last, under the pressure of any necessity, you never can do it well. But if, instead of falling into a passion, the leading gentlemen of the country themselves should undertake the business cheerfully, and

with hearty affection towards it, great advantages would follow. What is forced cannot be modified; but here you may measure your concessions.

It is a consideration of great moment, that you make the desired admission without altering the system of your representation in the smallest degree, or in any part. You may leave that deliberation of a Parliamentary change or reform, if ever you should think fit to engage in it, uncomplicated and unembarrassed with the other question. Whereas, if they are mixed and confounded—as some people attempt to mix and confound them—no one can answer for the effects on the constitution itself.

There is another advantage in taking up this business singly and by an arrangement for the single object. It is that you may proceed by *degrees*. We must all obey the great law of change. It is the most powerful law of nature, and the means perhaps of its conservation. All we can do, and that human wisdom can do, is to provide that the change shall proceed by insensible degrees. This has all the benefits which may be in change, without any of the inconveniences of mutation. Everything is provided for as it arrives. This mode will, on the one hand, prevent the *unfixing old interests at once:* a thing which is apt to breed a black and sullen discontent in those who are at once dispossessed of all their influence and consideration. This gradual course, on the other side, will prevent men, long under depression, from being intoxicated

with a large draught of new power, which they always abuse with a licentious insolence. But wishing, as I do, the change to be gradual and cautious, I would, in my first steps, lean rather to the side of enlargement than restriction.

It is one excellence of our constitution, that all our rights of provincial election regard rather property than person. It is another, that the rights which approach more nearly to the personal are most of them corporate, and suppose a restrained and strict education of seven years in some useful occupation. In both cases the practice may have slid from the principle. The standard of qualification in both cases may be so low, or not so judiciously chosen, as in some degree to frustrate the end. But all this is for your prudence in the case before you. You may raise a step or two the qualification of the Catholic voters. But if you were to-morrow to put the Catholic freeholder on the footing of the most favoured forty-shilling Protestant dissenter, you know that such is the actual state of Ireland, this would not make a sensible alteration in almost any *one* election in the kingdom. The effect in their favour, even defensively, would be infinitely slow. But it would be healing; it would be satisfactory and protecting. The stigma would be removed. By admitting settled, permanent substance in lieu of the numbers, you would avoid the great danger of our time—that of setting up number against property. The numbers ought never to be neglected, because (besides what is

due to them as men) collectively, though not individually, they have great property: they ought to have, therefore, protection; they ought to have security; they ought to have even consideration; but they ought not to predominate.

My dear sir, I have nearly done; I meant to write you a long letter, I have written a long dissertation. I might have done it earlier and better. I might have been more forcible and more clear, if I had not been interrupted as I have been; and this obliges me not to write to you in my own hand. Though my hand but signs it, my heart goes with what I have written. Since I could think at all, those have been my thoughts. You know that thirty-two years ago they were as fully matured in my mind as they are now. A letter of mine to Lord Kenmare, though not by my desire, and full of lesser mistakes, has been printed in Dublin. It was written ten or twelve years ago, at the time when I began the employment, which I have not yet finished, in favour of another distressed people, injured by those who have vanquished them, or stolen a dominion over them. It contained my sentiments then; you will see how far they accord with my sentiments now. Time has more and more confirmed me in them all. The present circumstances fix them deeper in my mind.

I voted last session, if a particular vote could be distinguished in unanimity, for an establishment of the Church of England *conjointly* with the establish-

ment which was made some years before by Act of Parliament, of the Roman Catholic, in the French conquered country of Canada. At the time of making this English ecclesiastical establishment, we did not think it necessary for its safety to destroy the former Gallican Church settlement. In our first Act we settled a government altogether monarchical, or nearly so. In that system the Canadian Catholics were far from being deprived of the advantages or distinctions of any kind which they enjoyed under their former monarchy. It is true that some people—and amongst them one eminent divine—predicted at that time that by this step we should lose our dominions in America. He foretold that the Pope would send his indulgences hither; that the Canadians would fall in with France, would declare independence, and draw or force our colonies into the same design. The independence happened according to his prediction, but in directly the reverse order. All our English Protestant countries revolted. They joined themselves to France: and it so happened that Popish Canada was the only place which preserved its fidelity—the only place in which France got no footing—the only peopled colony which now remains to Great Britain. Vain are all the prognostics taken from ideas and passions which survive the state of things which gave rise to them. When last year we gave a popular representation to the same Canada by the choice of the landholders, and an aristocratic representation at the choice of the

Crown, neither was the choice of the Crown nor the election of the landholders limited by a consideration of religion. We had no dread for the Protestant Church which we settled there, because we permitted the French Catholics, in the utmost latitude of the description, to be free subjects. They are good subjects, I have no doubt; but I will not allow that any French Canadian Catholics are better men or better citizens than the Irish of the same communion. Passing from the extremity of the west to the extremity almost of the east, I have been many years (now entering into the twelfth) employed in supporting the rights, privileges, laws, and immunities of a very remote people. I have not as yet been able to finish my task. I have struggled through much discouragement and much opposition, much obloquy, much calumny, for a people with whom I have no tie but the common bond of mankind. In this I have not been left alone. We did not fly from our undertaking because the people were Mahometans or pagans, and that a great majority of the Christians amongst them are Papists. Some gentlemen in Ireland, I dare say, have good reasons for what they may do, which do not occur to me. I do not presume to condemn them; but, thinking and acting as I have done towards these remote nations, I should not know how to show my face here or in Ireland, if I should say that all the Pagans, all the Mussulmen, and even all the Papists (since they must form the highest stage in the climax of evil) are worthy of a liberal and

honourable condition, except those of one of the descriptions, which forms the majority of the inhabitants of the country in which you and I were born. If such are the Catholics of Ireland,—ill-natured and unjust people from our own data may be inclined not to think better of the Protestants of a soil which is supposed to infuse into its sects a kind of venom unknown in other places.

You hated the old system as early as I did. Your first juvenile lance was broken against that giant. I think you were even the first who attacked the grim phantom. You have an exceedingly good understanding, very good humour, and the best heart in the world. The dictates of that temper and that heart, as well as the policy pointed out by that understanding, led you to abhor the old code. You abhorred it, as I did, for its vicious perfection. For I must do it justice: it was a complete system, full of coherence and consistency, well digested and well composed in all its parts. It was a machine of wise and elaborate contrivance, and as well fitted for the oppression, impoverishment, and degradation of a people, and the debasement in them of human nature itself, as ever proceeded from the perverted ingenuity of man. It is a thing humiliating enough—that we are doubtful of the effect of the medicines we compound. We are sure of our poisons. My opinion ever was (in which I heartily agree with those that admired the old code) that it was so constructed, that if there was once a

breach in any essential part of it, the ruin of the whole, or nearly of the whole, was at some time or other a certainty. For that reason I honour, and shall for ever honour and love you, and those who first caused it to stagger, crack, and gape. Others may finish; the beginners have the glory; and, take what part you please at this hour (I think you will take the best), your first services will never be forgotten by a grateful country. Adieu! Present my best regards to those I know, and as many as I know in our country I honour. There never was so much ability, nor, I believe, virtue in it. They have a task worthy of both. I doubt not they will perform it for the stability of the Church and State, and for the union and the separation of the people; for the union of the honest and peaceable of all sects; for their separation from all that is ill-intentioned and seditious in any of them.

BEACONSFIELD,
3d January 1792.

VIII.

A LETTER to the RIGHT HON. EDMUND PERY.[1]

MY DEAR SIR,

I RECEIVED in due course your two very interesting and judicious letters, which gave me many new lights, and excited me to fresh activity in the important subject they related to. However, from that time I have not been perfectly free from doubt and uneasiness. I used a liberty with those letters, which perhaps, nothing can thoroughly justify, and which

[1] This letter is addressed to Mr. Pery (afterwards Lord Pery) then Speaker of the House of Commons of Ireland. It appears there had been much correspondence between that gentleman and Mr. Burke, on the subject of heads of a Bill (which had passed the Irish House of Commons in the summer of the year 1778, and had been transmitted by the Irish Privy Council of England) for the relief of his Majesty's Roman Catholic subjects in Ireland. The Bill contained a clause for exempting the Protestant Dissenters of Ireland from the Sacramental Test, which created a strong objection to the whole measure on the part of the English Government. Mr. Burke employed his most strenuous efforts to remove the prejudice which the king's ministers entertained againt the clause; but the Bill was ultimately returned without it, and in that shape passed the Irish Parliament. (17th and 18 Geo. III. cap. 49.) In the subsequent Session, however, a separate Act was passed for the relief of the Protestant Dissenters of Ireland.

certainly nothing but the delicacy of the crisis, the clearness of my intentions, and your great good nature can at all excuse. I might conceal this from you, but I think it better to lay the whole matter before you, and submit myself to your mercy; assuring you, at the same time, that if you are so kind as to continue your confidence on this, or to renew it upon any other occasion, I shall never be tempted again to make so bold and unauthorised a use of the trust you place in me. I will state to you the history of the business since my last, and then you will see how far I am excusable by the circumstances.

On the 3d of July I received a letter from the Attorney-General, dated the day before, in which, in a very open and obliging manner, he desires my thoughts of the Irish Toleration Bill, and particularly of the Dissenters' Clause. I gave them to him by the return of the post at large; but as the time pressed, I kept no copy of the letter. The general drift was strongly to recommend the *whole*, and principally to obviate the objections to the part that related to the Dissenters, with regard both to the general propriety and to the temporary policy at this juncture. I took likewise a good deal of pains to state the difference which had always subsisted with regard to the treatment of the Protestant Dissenters in Ireland and in England, and what I conceived the reason of that difference to be. About the same time I was called to town for a day, and I took an opportunity in Westminster Hall, of

urging the same points with all the force I was master of to the Solicitor-General. I attempted to see the Chancellor for the same purpose, but was not fortunate enough to meet him at home. Soon after my return hither on Tuesday, I received a very polite, and I may say, friendly letter from him, wishing me (on supposition that I had continued in town) to dine with him on that day, in order to talk over the business of the Toleration Act then before him. Unluckily I had company with me, and was not able to leave them until Thursday, when I went to town and called at his house, but missed him. However, in answer to his letter I had before, and instantly on the receipt of it, written to him at large, and urged such topics, both with regard to the Catholics and Dissenters as I imagined were the most likely to be prevalent with him. This letter I followed to town on Thursday. On my arrival I was much alarmed with a report that the Ministry had thoughts of rejecting the whole Bill. Mr. M'Namara seemed apprehensive that it was a determined measure, and there seemed to be but too much reason for his fears. Not having met the Chancellor at home, either on my first visit or my second after receiving his letter, and fearful that the Cabinet should come to some unpleasant resolution, I went to the Treasury on Friday. There I saw Sir G. Cooper. I possessed him of the danger of a partial, and the inevitable mischief of the total, rejection of the Bill. I reminded him of the understood compact be-

tween parties, upon which the whole scheme of the Toleration, originating in the English Bill, was formed; of the fair part which the Whigs had acted in a business, which, though first started by them, was supposed equally acceptable to all sides; and the risk of which they took upon themselves when others declined it. To this I added such matter as I thought most fit to engage Government, as Government—not to sport with a singular opportunity which offered for the union of every description of men amongst us, in support of the common interest of the whole, and I ended by desiring to see Lord North upon the subject. Sir Grey Cooper showed a very right sense of the matter, and in a few minutes after our conversation, I went down from the Treasury Chambers to Lord North's house. I had a great deal of discourse with him. He told me that his ideas of toleration were large; but that, large as they were, they did not comprehend a promiscuous establishment, even in matters merely civil!—that he thought the established religion ought to be the religion of the State; that, in this idea, he was not for the repeal of the Sacramental Test; that indeed he knew the Dissenters in general did not greatly scruple it; but that very want of scruple showed less zeal against the Establishment; and, after all, there could no provision be made by human laws against those who made light of the tests which were formed to discriminate opinions. On all this he spoke with a good deal of temper. He did not,

indeed, seem to think the Test itself, which was rightly considered by Dissenters as in a manner dispensed with by an annual Act of Parliament, and which in Ireland was of a late origin, and of much less extent than here, a matter of much moment. The thing which seemed to affect him most was the offence that would be taken at the repeal by the leaders among the Church clergy here, on one hand, and on the other the steps which would be taken for its repeal in England in the next Session, in consequence of the repeal in Ireland. I assured him, with great truth, that we had no idea among the Whigs of moving the repeal of the Test. I confessed very freely, for my own part, that if it were brought in, I should certainly vote for it; but that I should neither use, nor did I think applicable, any arguments drawn from the analogy of what was done in other parts of the British dominions. We did not argue from analogy, even in this Island and United Kingdom. Presbytery was established in Scotland. It became no reason either for its religious or civil establishment here. In New England the Independent Congregational Churches had an established legal maintenance; whilst that country continued part of the British Empire, no argument in favour of Independency was adduced from the practice of New England. Government itself lately thought fit to establish the Roman Catholic religion in Canada; but they would not suffer an argument of analogy to be used for its

establishment anywhere else. These things were governed, as all things of that nature are governed, not by general maxims, but their own local and peculiar circumstances. Finding, however, that though he was very cool and patient, I made no great way in the business of the Dissenters, I turned myself to try whether, falling in with his maxims, some modification might not be found, the hint of which I received from your letter relative to the Irish Militia Bill, and the point I laboured was so to alter the Clause as to repeal the Test *quoad* Military and Revenue Offices. For these being only subservient parts in the economy and execution, rather than the administration of affairs, the politic, civil, and judicial parts would still continue in the hands of the Conformists to religious establishments. Without giving any hopes, he however said, that this distinction deserved to be considered.

After this, I strongly pressed the mischief of rejecting the whole Bill; that a notion went abroad, that Government was not at this moment very well pleased with the Dissenters, as not very well affected to the Monarchy; that in general, I conceived this to be a mistake; but if it were not, the rejection of a Bill in favour *of others*, because something in favour of *them* was inserted, instead of humbling and mortifying, would infinitely exalt them. For if the Legislature had no means of favouring those whom they meant to favour, as long as the Dissenters could find means to get themselves included, this would make

them, instead of their only being subject to restraint themselves, the arbitrators of the fate of others, and that, not so much by their own strength (which could not be prevented in its operation), as by the co-operation of those whom they opposed. In the conclusion I recommended, that if they wished well to the measure, which was the main object of the Bill, they must explicitly make it their own, and stake themselves upon it; that hitherto all their difficulties had arisen from their indecision and their wrong measures; and to make Lord North sensible of the necessity of giving a firm support to some part of the Bill, and to add weighty authority to my reasons, I read him your letter of the 10th of July. It seemed, in some measure, to answer the purpose which I intended. I pressed the necessity of the management of the affair, both as to conduct and as to gaining of men; and I renewed my former advice, that the Lord Lieutenant should be instructed to consult and co-operate with you in the whole affair. All this was apparently very fairly taken.

In the evening of that day I saw the Lord Chancellor. With him, too, I had much discourse. You know that he is intelligent, sagacious, systematic, and determined. At first he seemed of opinion that the relief contained in the Bill was so inadequate to the mass of oppression it was intended to remove, that it would be better to let it stand over until a more perfect and better digested plan could be settled.

This seemed to possess him very strongly. In order to combat this notion, and to show that the Bill—all things considered—was a very great acquisition, and that it was rather a preliminary than an obstruction to relief, I ventured to show him your letter. It had its effect. He declared himself roundly against giving anything to a confederacy, real or apparent, to distress Government; that if anything was done for Catholics or Dissenters, it should be done on its own separate merits, and not by way of bargain and compromise; that they should be each of them obliged to Government, not each to the other; that this would be a perpetual nursery of faction. In a word, he seemed so determined on not uniting these plans, that all I could say—and I said everything I could think of—was to no purpose. But when I insisted on the disgrace to Government which must arise from their rejecting a proposition recommended by themselves, because their opposers had made a mixture, separable too by themselves, I was better heard. On the whole, I found him well disposed.

As soon as I had returned to the country, this affair lay so much on my mind—and the absolute necessity of Government's making a serious business of it agreeably to the seriousness they professed and the object required—that I wrote to Sir G. Cooper to remind him of the principles upon which we went in our conversation, and to press the plan which was suggested for carrying them into execution. He wrote to me on the 20th, and assured me "that Lord North

had given all due attention and respect to what you said to him on Friday, and will pay the same respect to the sentiments conveyed in your letter. Everything you say or write on the subject undoubtedly demands it." Whether this was mere civility, or showed anything effectual in their intentions, time and the success of this measure will show. It is wholly with them, and if it should fail, you are a witness that nothing on our part has been wanting to free so large a part of our fellow-subjects and fellow-citizens from slavery, and to free Government from the weakness and danger of ruling them by force. As to my own particular part, the desire of doing this has betrayed me into a step which I cannot perfectly reconcile to myself. You are to judge how far in the circumstances it may be excused. I think it had a good effect. You may be assured that I made this communication in a manner effectually to exclude so false and groundless an idea as that I confer with you, any more than I confer with them, on any party principle whatsoever, or that in this affair we look farther than the measure which is in profession, and I am sure ought to be in reason, theirs. I am ever, with the sincerest affection and esteem, my dear sir, your most faithful and obedient humble servant,

EDMUND BURKE.

BEACONSFIELD, 18*th July* 1778.

I intended to have written sooner, but it has not been in my power.

To the Speaker of the
House of Commons of Ireland.

IX.

A LETTER to THOMAS BURGH, Esq.[1]

MY DEAR SIR,

I DO not know in what manner I am to thank you properly for the very friendly solicitude you have been so good as to express for my reputation. The concern you have done me the honour to take in my affairs will be an ample indemnity from all that I may suffer from the rapid judgments of those who choose to form their opinions of men—not from the life but from their portraits in a newspaper. I confess to you that my frame of mind is so constructed—I have in me so little of the constitution of a great man—that I am more

[1] Mr. Thomas Burgh, of *Old Town*, was a member of the House of Commons in Ireland.

It appears from a letter written by this gentleman to Mr. Burke, 24th December 1779, and to which the following is an answer, that the part Mr. Burke had taken in the discussion, which the affairs of Ireland had undergone in the preceding sessions of Parliament in England (see note prefixed to *Two Letters to Gentlemen in Bristol*, and also *Speech at the Guildhall in Bristol*), had been grossly misrepresented and much censured in Ireland.

gratified with a very moderate share of approbation from those few who know me, than I should be with the most clamorous applause from those multitudes who love to admire at a due distance.

I am not, however, stoic enough to be able to affirm with truth, or hypocrite enough affectedly to pretend, that I am wholly unmoved at the difficulty which you and others of my friends in Ireland have found in vindicating my conduct towards my native country. It undoubtedly hurts me in some degree, but the wound is not very deep. If I had sought popularity in Ireland—when in the cause of that country I was ready to sacrifice, and did sacrifice, a much nearer, a much more immediate, and a much more advantageous popularity here,—I should find myself perfectly unhappy, because I should be totally disappointed in my expectations; because I should discover when it was too late (what common sense might have told me very early) that I risked the capital of my fame in the most disadvantageous lottery in the world. But I acted then as I act now—and as I hope I shall act always—from a strong impulse of right, and from motives in which popularity, either here or there, has but a very little part.

With the support of that consciousness I can bear a good deal of the coquetry of public opinion, which has her caprices, and must have her way—*Miseri quibus intentata nitet!* I, too, have had my holiday of popularity in Ireland. I have even heard of an intention

to erect a statue.[1] I believe my intimate acquaintance know how little that idea was encouraged by me; and I was sincerely glad that it never took effect. Such honours belong exclusively to the tomb—the natural and only period of human inconstancy with regard either to desert or to opinion; for they are the very same hands which erect, that very frequently (and sometimes with reason enough) pluck down the statue. Had such an unmerited and unlooked-for compliment been paid to me two years ago, the fragments of the piece might at this hour have the advantage of seeing actual service, while they were moving, according to the law of projectiles, to the windows of the Attorney-General, or of my old friend Monk Mason.

To speak seriously, let me assure you, my dear sir, that though I am not permitted to rejoice at *all* its effects, there is not one man on your side of the water more pleased to see the situation of Ireland so prosperous as that she can afford to throw away her friends. She has obtained, solely by her own efforts, the fruits of a great victory, which I am very ready to allow that the best efforts of her best well-wishers here could not have done for her so effectually in a great number of years, and perhaps could not have done at all. I could wish, however, merely for the sake of her own dignity, that in turning her poor relations and

[1] This intention was communicated to Mr. Burke in a letter from Mr. Pery, the Speaker of the House of Commons in Ireland.

antiquated friends out of doors (though one of the most common effects of new prosperity), she had thought proper to dismiss us with fewer tokens of unkindness. It is true that there is no sort of danger in affronting men who are not of importance enough to have any trust of ministerial, of royal, or of national honour to surrender. The unforced and unbought services of humble men who have no medium of influence in great assemblies but through the precarious force of reason, must be looked upon with contempt by those who by their wisdom and spirit have improved the critical moment of their fortune, and have debated with authority against pusillanimous dissent and ungracious compliance at the head of 40,000 men.

Such feeble auxiliaries (as I talk of) to such a force employed against such resistance, I must own in the present moment, very little worthy of your attention. Yet, if one were to look forward, it scarcely seems altogether politic to bestow so much liberality of invective on the Whigs of this kingdom as I find has been the fashion to do both in and out of Parliament. That you should pay compliments in some tone or other, whether ironical or serious, to the minister from whose imbecility you have extorted what you could never obtain from his bounty, is not unnatural. In the first effusions of Parliamentary gratitude to that Minister for the early and voluntary benefits he has conferred upon Ireland, it might appear that you were wanting to the triumph of his surrender

if you did not lead some of his enemies captive before him. Neither could you feast him with decorum, if his particular taste were not consulted. A minister who has never defended his measures in any other way than by railing at his adversaries, cannot have his palate made all at once to the relish of positive commendation. I cannot deny but that on this occasion there was displayed a great deal of the good breeding which consists in the accommodation of the entertainment to the relish of the guest.

But that ceremony being past, it would not be unworthy of the wisdom of Ireland to consider what consequences the extinguishing every spark of freedom in this country may have upon your own liberties. You are at this instant flushed with victory and full of the confidence natural to recent and untried power. We are in a temper equally natural, though very different. We feel as men do, who, having placed an unbounded reliance on their force, have found it totally to fail on trial. We feel faint and heartless, and without the smallest degree of self-opinion. In plain words, we are *cowed*. When men give up their violence and injustice without a struggle, their condition is next to desperate. When no art, no management, no argument is necessary to abate their pride and overcome their prejudices, and their uneasiness only excites an obscure and feeble rattling in their throat, their final dissolution seems not far off. In this miserable state we are still further depressed by the overbearing

influence of the Crown. It acts with the officious cruelty of a mercenary nurse, who, under pretence of tenderness, stifles us with our clothes, and plucks the pillow from our heads. *Injectu multæ vestis opprimi senem jubet.* Under this influence we have so little will of our own, that even in any apparent activity we may be got to assume, I may say, without any violence to sense and with very little to language, we are merely passive. We have yielded to your demands this session. In the last session we refused to prevent them. In both cases—the passive and the active—our principle was the same. Had the Crown pleased to retain the spirit with regard to Ireland, which seems to be now all directed to America, we should have neglected our own immediate defence, and sent over the last man of our militia to fight with the last man of your volunteers.

To this influence the principle of action, the principle of policy, and the principle of union of the present minority are opposed. These principles of the Opposition are the only thing which preserves a single symptom of life in the nation. That Opposition is composed of the far greater part of the independent property and independent rank of the kingdom; of whatever is most untainted in character, and of whatever ability remains unextinguished in the people, and of all which tends to draw the attention of foreign countries upon this. It is now in its final and conclusive struggle. It has to struggle against a force to which I am afraid it is not equal.

The *whole* kingdom of Scotland ranges with the venal, the unprincipled, and the wrong-principled of this; and if the kingdom of Ireland thinks proper to pass into the same camp, we shall certainly be obliged to quit the field. In that case, if I know anything of this country, another constitutional Opposition *can never* be formed in it; and if this be impossible, it will be at least as much so (if there can be degrees in impossibility) to have a constitutional Administration at any future time. The possibility of the former is the only security for the existence of the latter. Whether the present Administration be in the least like one, I must venture to doubt even in the honeymoon of the Irish fondness to Lord North, which has succeeded to all their slappings and scratchings.

If liberty cannot maintain its ground in this kingdom, I am sure that it cannot have any long continuance in yours. Our liberty might now and then jar, and strike a discord with that of Ireland. The thing is possible, but still the instruments might play in concert. But if ours be unstrung, yours will be hung up on a peg; and both will be mute for ever. Your new military force may give you confidence, and it serves well for a turn; but you and I know that it has not root. It is not perennial, and would prove but a poor shelter for your liberty when this nation, having no interest in its own, could look upon yours with the eye of envy and disgust. I cannot, therefore, help thinking and telling you what with great submission I think, that if the Parliament of

Ireland be so jealous of the spirit of our common constitution as she means to be, it was not so discreet to mix with the panegyric on the minister so large a portion of acrimony to the independent part of this nation. You never received any sort of injury from them, and you are grown to that degree of importance, that the discourses in your Parliament will have a much greater effect on our immediate fortune than our conversation can have upon yours. In the end they will seriously affect both.

I have looked back upon our conduct and our public conversations in order to discover what it is that can have given you offence. I have done so because I am ready to admit that to offend you without any cause would be as contrary to true policy as I am sure it must be to the inclinations of almost every one of us. About two years ago Lord Nugent moved six propositions in favour of Ireland, in the House of Commons. At the time of the motions and during the debate, Lord North was either wholly out of the House or engaged in other matters of business or pleasantry in the remotest recesses of the West Saxon corner. He took no part whatsoever in the affair; but it was supposed his neutrality was more inclined towards the side of favour. The mover being a person in office was, however, the only indication that was given of such a leaning. We who supported the propositions, finding them better relished than at first we looked for, pursued our advantage, and began to open a way for more essential benefits to Ire-

land. On the other hand, those who had hitherto opposed them in vain redoubled their efforts, and became exceedingly clamorous. Then it was that Lord North found it necessary to come out of his fastness, and to interpose between the contending parties. In this character of mediator he declared that if anything beyond the first six resolutions should be attempted, he would oppose the whole ; but that if we rested there, the original motions should have his support. On this a sort of convention took place between him and the managers of the Irish business, in which the six resolutions were to be considered as an *uti possidetis*, and to be held sacred.

By this time other parties began to appear. A good many of the trading towns and manufactures of various kinds took the alarm. Petitions crowded in upon one another; and the Bar was occupied by a formidable body of Council. Lord N. was staggered by this new battery. He is not of a constitution to encounter such an opposition as had then risen, when there were no other objects in view than those that were then before the House. In order not to lose him we were obliged to abandon, bit by bit, the most considerable part of the original agreement.

In several parts, however, he continued fair and firm. For my own part I acted, as I trust I commonly do, with decision. I saw very well that the things we had got were of no great consideration; but they were, even in their defects, somewhat leading. I

was in hopes that we might obtain gradually, and by parts, what we might attempt at once and in the whole without success; that one concession would lead to another; and that the people of England, discovering by a progressive experience that none of the concessions actually made were followed by the consequences they had dreaded, their fears from what they were yet to yield would considerably diminish. But that to which I attached myself most particularly, was to fix *the principle* of a free trade in all the ports of these Islands, as founded in justice, and beneficial to the whole; but principally to this the seat of the supreme power. And this I laboured to the utmost of my might, upon general principles, illustrated by all the commercial detail with which my little inquiries in life were able to furnish me. I ought to forget such trifling things as those, with all concerning myself; and possibly I might have forgotten them, if the Lord Advocate of Scotland had not, in a very flattering manner, revived them in my memory, in a full House in this session. He told me that my arguments, such as they were, had made him, at the period I allude to, change the opinion with which he had come into the House strongly impressed. I am sure that, at the time, at least twenty more told me the same thing. I certainly ought not to take their style of compliment as a testimony to fact—neither do I. But all this showed sufficiently, not what they thought of my ability, but what they saw of my zeal. I could say

more in proof of the effects of that zeal, and of the unceasing industry with which I then acted, both in my endeavours which were apparent, and those that were not so visible. Let it be remembered that I showed those dispositions while the Parliament of England was in a capacity to deliberate, and in a situation to refuse; when there was something to be risked here by being suspected of a partiality to Ireland; when there was an honourable danger attending the profession of friendship to you, which heightened its relish and made it worthy of a reception in manly minds. But as for the awkward and nauseous parade of debate without opposition, the flimsy device of tricking out necessity, and disguising it in the habit of choice, the shallow stratagem of defending by argument what all the world must perceive is yielded to force—these are a sort of acts of friendship which I am sorry that any of my countrymen should require of their real friends. They are things not *to my taste;* and if they are looked upon as tests of friendship, I desire for one that I may be considered as an enemy.

What party purpose did my conduct answer at that time? I acted with Lord N. I went to all the ministerial meetings—and he and his associates in office will do me the justice to say that, aiming at the concord of the Empire, I made it my business to give his concessions all the value of which they were capable,—whilst some of those who were covered with

his favours, derogated from them, treated them with contempt, and openly threatened to oppose them. If I had acted with my dearest and most valued friends —if I had acted with the Marquis of Rockingham, or the Duke of Richmond, in that situation, I could not have attended more to their honour, or endeavoured more earnestly to give efficacy to the measures I had taken in common with them. The return which I, and all who acted as I did, have met with from him, does not make me repent the conduct which I then held.

As to the rest of the gentlemen with whom I have the honour to act, they did not then, or at any other time, make a party affair of Irish politics. That matter was always taken up without concert; but in general, from the operation of our known liberal principles in government, in commerce, in religion, in everything, it was taken up favourably for Ireland. Where some local interests bore hard upon the members, they acted on the sense of their constituents, upon ideas which, though I do not always follow, I cannot blame. However, two or three persons high in opposition, and high in public esteem, ran great risks in their boroughs on that occasion. But all this was without any particular plan. I need not say that Ireland was in that affair much obliged to the liberal mind and enlarged understanding of Charles Fox, to Mr. Thomas Townshend, to Lord Middleton, and others. On reviewing that affair, which gave rise to all the subsequent manœuvres, I am convinced that the whole of what has this day been

done might have then been effected. But then the minister must have taken it up as a great plan of national policy, and paid with his person in every lodgment of his approach. He must have used that influence to quiet prejudice, which he has so often used to corrupt principle; and I know that if he had, he must have succeeded. Many of the most active in opposition would have given him an unequivocal support. The Corporation of London, and the great body of the London West India merchants and planters which forms the greatest mass of that vast interest, were disposed to fall in with such a plan. They certainly gave no sort of discountenance to what was done, or what was proposed. But these are not the kind of objects for which our ministers bring out the heavy artillery of the State. Therefore, as things stood at that time, a great deal more was not practicable.

Last year another proposition was brought out for the relief of Ireland. It was started without any communication with a single person of activity in the country party, and, as it should seem, without any kind of concert with Government. It appeared to me extremely raw and undigested. The behaviour of Lord N. on the opening of that business was the exact transcript of his conduct on the Irish question in the former session. It was a mode of proceeding which his nature has wrought into the texture of his politics, and which is inseparable from them. He chose to absent himself on the proposition, and during the agitation of

that business, although the business of the House is that alone for which he has any kind of relish, or, as I am told, can be persuaded to listen to with any degree of attention. But he was willing to let it take its course. If it should pass without any considerable difficulty he would bring his acquiescence to tell for merit in Ireland, and he would have the credit, out of his indolence, of giving quiet to that country. If difficulties should arise on the part of England, he knew that the House was so well trained that he might at his pleasure call us off from the hottest scent. As he acted in his usual manner, and upon his usual principle, opposition acted upon theirs, and rather generally supported the measure. As to myself, I expressed a disapprobation at the practice of bringing imperfect and indigested projects into the House before means were used to quiet the clamours which a misconception of what we were doing might occasion at home, and before measures were settled with men of weight and authority in Ireland, in order to render our acts useful and acceptable to that country. I said that the only thing which could make the influence of the Crown (enormous without as well as within the House) in any degree tolerable, was that it might be employed to give something of order and system to the proceedings of a popular assembly; that Government, being so situated as to have a large range of prospect, and as it were a bird's-eye view of everything, they might see distant dangers and distant advantages, which were not so

visible to those who stood on the common level; they might, besides, observe them from this advantage in their relative and combined state, which people, locally instructed and partially informed, could behold only in an insulated and unconnected manner; but that for many years past we suffered under all the evils, without any one of the advantages, of a Government influence; that the business of a minister, or of those who acted as such, had been still further to contract the narrowness of men's ideas, to confirm inveterate prejudices, to inflame vulgar passions, and to abet all sorts of popular absurdities, in order the better to destroy popular rights and privileges; that, so far from methodising the business of the House, they had let all things run into an inextricable confusion, and had left affairs of the most delicate policy wholly to chance.

After I had expressed myself with the warmth I felt on seeing all government and order buried under the ruins of liberty, and after I had made my protest against the insufficiency of the propositions, I supported the principle of enlargement, at which they aimed, though short and somewhat wide of the mark; giving, as my sole reason, that the more frequently these matters came into discussion, the more it would tend to dispel fears and to eradicate prejudices.

This was the only part I took. The detail was in the hands of Lord Newhaven and Lord Beauchamp, with some assistance from Earl Nugent and some independent gentlemen of Irish property. The dead weight

of the minister being removed, the House recovered its tone and elasticity. We had a temporary appearance of a deliberative character. The business was debated freely on both sides, and with sufficient temper. And the sense of the Members being influenced by nothing but what will naturally influence men unbought—their reason and their prejudices—these two principles had a fair conflict, and prejudice was obliged to give way to reason. A majority appeared on a division in favour of the propositions.

As these proceedings got out of doors, Glasgow and Manchester, and, I think, Liverpool began to move, but in a manner much more slow and languid than formerly. Nothing, in my opinion, would have been less difficult than entirely to have over-born their opposition. The London West India trade was, as on the former occasion, so on this, perfectly liberal, and perfectly quiet; and there is abroad so much respect for the united wisdom of the House, when supposed to act upon a fair view of a political situation, that I scarcely ever remember any considerable uneasiness out of doors, when the most active members, and those of most property and consideration in the Minority, have joined themselves to the Administration. Many factious people in the towns I mentioned began indeed to revile Lord North, and to reproach his neutrality as treacherous and ungrateful to those who had so heartily and so warmly entered into all his views with regard to America. That noble lord, whose decided character it is to give way to the latest

and nearest pressure without any sort of regard to distant consequences of any kind, thought fit to appear on this signification of the pleasure of those his worthy friends and partisans, and putting himself at the head of the *Posse Scaccarii*, wholly regardless of the dignity and consistency of our miserable House, drove the propositions entirely out of doors by a majority newly summoned to duty.

In order to atone to Ireland for this gratification to Manchester, he graciously permitted, or rather forwarded two Bills—that for encouraging the growth of tobacco, and that for giving a bounty on exportation of hemp from Ireland. They were brought in by two very worthy members, and on good principles; but I was sorry to see them; and after expressing my doubts of their propriety, left the House. Little also was said upon them. My objections were two; the first, that the cultivation of those weeds (if one of them could be at all cultivated to profit) was adverse to the introduction of a good course of agriculture; the other, that the encouragement given to them tended to establish that mischievous policy of considering Ireland as a country of staple, and a producer of raw materials.

When the rejection of the first propositions and the acceptance of the last had jointly, as it was natural, raised a very strong discontent in Ireland, Lord Rockingham, who frequently said that there never seemed a more opportune time for the relief of Ireland than that moment, when Lord North had rejected all rational

propositions for its relief, without consulting, I believe, any one living, did what he is not often very willing to do; but he thought this an occasion of magnitude enough to justify an extraordinary step. He went into the Closet, and made a strong representation on the matter to the king, which was not ill received, and I believe produced good effects. He then made the motion in the House of Lords which you may recollect, but he was content to withdraw all of censure which it contained on the solemn promise of Ministry that they would, in the recess of Parliament, prepare a plan for the benefit of Ireland, and have it in readiness to produce at the next meeting. You may recollect that Lord Gower became in a particular manner bound for the fulfilling this engagement. Even this did not satisfy; and most of the Minority were very unwilling that Parliament should be prorogued until something effectual on the subject should be done; particularly as we saw that the distresses, discontents, and armaments of Ireland were increasing every day, and that we are not so much lost to common sense as not to know the wisdom and efficacy of early concession in circumstances such as ours.

The session was now at an end. The ministers, instead of attending to a duty that was so urgent on them, employed themselves, as usual, in endeavours to destroy the reputation of those who were bold enough to remind them of it. They caused it to be industriously circulated through the nation that the distresses of Ireland were of a nature hard to be traced to the true source; that they

had been monstrously magnified; and that, in particular, the official reports from Ireland had given the lie (that was their phrase) to Lord Rockingham's representations. And attributing the origin of the Irish proceedings wholly to us, they asserted that everything done in Parliament upon the subject was with a view of stirring up rebellion; "that neither the Irish Legislature nor their constituents had signified any dissatisfaction at the relief obtained in the session preceding the last; that to convince both of the impropriety of their *peaceable* conduct, opposition, by making demands in the name of Ireland, pointed out what she might extort from Great Britain; that the facility with which relief was formerly granted, instead of satisfying opposition, was calculated to create new demands. These demands, as they *interfered* with the commerce of Great Britain, were *certain* of being opposed—a circumstance which could not fail to create that desirable confusion which suits the views of the party. That they (the Irish) had long felt their own misery *without knowing well from whence it came.* Our worthy patriots, by *pointing out Great Britain* as the *cause of Irish distress*, may have some chance of rousing Irish resentment." This I quote from a pamphlet, as perfectly contemptible in point of writing, as it is false in its facts and wicked in its design; but as it is written under the authority of ministers by one of their principal literary pensioners, and was circulated with great diligence, and, as I am credibly informed, at a considerable expense to the public, I use the words of that book to let you see

in what manner the friends and patrons of Ireland, the heroes of your Parliament, represented all efforts for your relief here, what means they took to dispose the minds of the people towards that great object, and what encouragement they gave to all who should choose to exert themselves in your favour. Their unwearied endeavours were not wholly without success, and the unthinking people in many places became ill affected towards us on this account. For the ministers proceeded in your affairs just as they did with regard to those of America. They always represented you as a parcel of blockheads without sense, or even feeling; that all your words were only the echo of faction here, and (as you have seen above) that you had not understanding enough to know that your trade was cramped by restrictive acts of the British Parliament, unless we had, for factious purposes, given you the information.

They were so far from giving the least intimation of the measures which have since taken place, that those who were supposed the best to know their intentions declared them impossible in the actual state of the two kingdoms, and spoke of nothing but an Act of Union as the only way that could be found of giving freedom of trade to Ireland consistently with the interests of this kingdom. Even when the session opened Lord North declared that he did not know what remedy to apply to a disease, of the cause of which he was ignorant, and Ministry not being then entirely resolved how far they should submit to your energy, they, by anticipation, set

the above author, or some of his associates, to fill the newspapers with invectives against us, as distressing the minister by extravagant demands in favour of Ireland.

I need not inform you that everything they asserted of the steps taken in Ireland as the result of our machinations was utterly false and groundless. For myself, I seriously protest to you that I neither wrote a word or received a line upon any matter relative to the trade of Ireland, or to the politics of it, from the beginning of the last session to the day that I was honoured with your letter. It would be an affront to the talents in the Irish Parliament to say one word more.

What was done in Ireland during that period in and out of Parliament never will be forgotten. You raised an army new in its kind and adequate to its purposes. It effected its end without its exertion. It was not under the authority of law, most certainly, but it derived from an authority still higher; and as they say of faith that it is not contrary to reason but above it, so this army did not so much contradict the spirit of the law as supersede it. What you did in the legislative body is above all praise. By your proceeding with regard to the supplies you revived the grand use and characteristic benefit of Parliament, which was on the point of being entirely lost amongst us. These sentiments I never concealed, and never shall, and Mr. Fox expressed them with his usual power when he spoke on the subject.

All this is very honourable to you. But in what

light must we see it? How are we to consider your armament without commission from the Crown, when some of the first people in *this* kingdom have been refused arms at the time they did not only not reject, but solicited the king's commissions? Here to arm and embody would be represented as little less than high treason if done on private authority. With you it receives the thanks of a Privy Counsellor of Great Britain, who obeys the Irish House of Lords in that point with pleasure, and is made Secretary of State, the moment he lands here, for his reward. You shortened the credit given to the Crown to six months; you hung up the public credit of your kingdom by a thread; you refused to raise any taxes, whilst you confessed the public debt and public exigencies to be great and urgent beyond example. You certainly acted in a great style, and on sound and invincible principles. But if we, in the opposition which fills Ireland with such loyal horrors, had even attempted what we never did even attempt—the smallest delay or the smallest limitation of supply in order to a constitutional coercion of the Crown—we should have been decried by all the Court and Tory mouths of this kingdom as a desperate faction, aiming at the direct ruin of the country, and to surrender it bound hand and foot to a foreign enemy. By actually doing what we never ventured to attempt, you have paid your court with such address, and have won so much favour with his Majesty and his Cabinet, that they have, of their special grace and mere motion,

raised you to new titles; and, for the first time, in a speech from the throne, complimented you with the appellation of "faithful and loyal,"—and, in order to insult our low-spirited and degenerate obedience, have thrown these epithets and your resistance together in our teeth! What do you think were the feelings of every man who looks upon Parliament in a higher light than that of a market-overt for legalising a base traffic of votes and pensions, when he saw you employ such means of coercion to the Crown in order to coerce our Parliament through *that* medium? How much his Majesty is pleased with *his* part of the civility must be left to his own taste. But as to us, you declared to the world that you knew that the way of bringing us to reason was to apply yourselves to the true source of all our opinions, and the only motive to all our conduct! Now, it seems you think yourselves affronted, because a few of us express some indignation at the minister who has thought fit to strip us stark-naked, and expose the true state of our poxed and pestilential habit to the world! Think or say what you will in Ireland, I shall ever think it a crime hardly to be expiated by his blood. He might and ought, by a longer continuance, or by an earlier meeting of this Parliament, to have given us the credit of some wisdom in foreseeing and anticipating an approaching force. So far from it, Lord Gower, coming out of his own Cabinet, declares that one principal cause of his resignation was his not being able to prevail on the present minister to give any sort of

application to this business. Even on the late meeting of Parliament nothing determinate could be drawn from him or from any of his associates until you had actually passed the short Money Bill, which measure they flattered themselves, and assured others, you would never come up to. Disappointed in their expectation at seeing the siege raised, they surrendered at discretion.

Judge, my dear sir, of our surprise at finding your censure directed against those whose only crime was in accusing the ministers of not having prevented your demands by our graces, of not having given you the natural advantages of your country in the most ample, the most early, and the most liberal manner; and for not having given away authority in such a manner as to ensure friendship. That you should make the panegyric of the ministers is what I expected, because in praising their bounty you paid a just compliment to your own force. But that you should rail at us, either individually or collectively, is what I can scarcely think a natural proceeding. I can easily conceive that gentlemen might grow frightened at what they had done—that they might imagine they had undertaken a business above their direction—that having obtained a state of independence for their country, they meant to take the deserted helm into their own hands, and supply by their very real abilities the total inefficacy of the nominal Government. All these might be real, and might be very justifiable motives for their reconciling themselves cordially to the present Court system. But

I do not so well discover the reasons that could induce them, at the first feeble dawning of life in this country, to do all in their power to cast a cloud over it, and to prevent the least hope of our effecting the necessary reformations which are aimed at in our constitution and in our national economy.

But it seems I was silent at the passing the resolutions. Why—what had I to say? If I had thought them too much, I should have been accused of an endeavour to inflame England. If I should represent them as too little, I should have been charged with a design of fomenting the discontents of Ireland into actual rebellion. The Treasury Bench represented that the affair was a matter of State; they represented it truly. I therefore only asked whether they knew these propositions to be such as would satisfy Ireland; for if they were so, they would satisfy me. This did not indicate that I thought them too ample. In this our silence (however dishonourable to Parliament) there was one advantage; that the whole passed, as far as it is gone, with complete unanimity, and so quickly that there was no time left to excite any opposition to it out of doors. In the West India business, reasoning on what had lately passed in the Parliament of Ireland, and on the mode in which it was opened here, I thought I saw much matter of perplexity. But I have now better reason than ever to be pleased with my silence. If I had spoken, one of the most honest and able men [1]

[1] Mr. Grattan.

in the Irish Parliament would probably have thought my observation an endeavour to sow dissension, which he was resolved to prevent; and one of the most ingenious and one of the most amiable men, that[1] ever graced your or any House of Parliament, might have looked on it as a chimera. In the silence I observed I was strongly countenanced (to say no more of it) by every gentleman of Ireland that I had the honour of conversing with in London. The only word for that reason, which I spoke, was to restrain a worthy county member[2] who had received some communication from a great trading place in the county he represents, which, if it had been opened to the House, would have led to a perplexing discussion of one of the most troublesome matters that could arise in this business. I got up to put a stop to it; and I believe, if you knew what the topic was, you would commend my discretion.

That it should be a matter of public discretion in me to be silent on the affairs of Ireland is what, on all accounts, I bitterly lament. I stated to the House what I felt; and I felt, as strongly as human sensibility can feel, the extinction of my Parliamentary capacity where I wished to use it most. When I came into this Parliament just fourteen years ago—into this Parliament then, in vulgar opinion at least, the presiding Council of the greatest empire existing (and perhaps, all things considered, that ever did exist),—obscure and a stranger as I was, I considered myself as raised to the

[1] Mr. Hussey Burgh. [2] Mr. Stanley, member for Lancashire.

highest dignity to which a creature of our species could aspire. In that opinion—one of the chief pleasures in my situation—what was first and uppermost in my thoughts was the hope, without injury to this country, to be somewhat useful to the place of my birth and education, which in many respects, internal and external, I thought ill and impolitically governed. But when I found that the House, surrendering itself to the guidance of an authority not grown out of an experienced wisdom and integrity, but out of the accidents of Court favour, had become the sport of the passions of men at once rash and pusillanimous—that it had even got into the habit of refusing everything to reason, and surrendering everything to force—all my power of obliging either my country or individuals was gone, all the lustre of my imaginary rank was tarnished, and I felt degraded even by my elevation. I said this, or something to this effect. If it gives offence to Ireland, I am sorry for it; it was the reason I gave for my silence, and it was, as far as it went, the true one.

With you this silence of mine and of others was represented as factious, and as a discountenance to the measure of your relief. Do you think us children? If it had been our wish to embroil matters, and for the sake of distressing Ministry to commit the two kingdoms in a dispute, we had nothing to do but (without at all condemning the propositions) to have gone into the commercial detail of the objects of them. It could not have been refused to us; and you who know the

nature of business so well, must know that this would have caused such delays, and given rise during that delay to such discussions, as all the wisdom of your favourite Minister could never have settled. But indeed you mistake your men. We tremble at the idea of a disunion of these two nations. The only thing in which we differ with you is this, that we do not think your attaching yourselves to the Court, and quarrelling with the independent part of this people, is the way to promote the union of two free countries, or of holding them together by the most natural and salutary ties.

You will be frightened when you see this long letter. I smile, when I consider the length of it myself. I never, that I remember, wrote any of the same extent. But it shows me that the reproaches of the country that I once belonged to, and in which I still have a dearness of instinct more than I can justify to reason, make a greater impression on me than I had imagined. But parting words are admitted to be a little tedious, because they are not likely to be renewed. If it will not be making yourself as troublesome to others as I am to you, I shall be obliged to you if you will show this, at their greatest leisure, to the Speaker, to your excellent kinsman, to Mr. Grattan, Mr. Yelverton, and Mr. Daly. All these I have the honour of being personally known to except Mr. Yelverton, to whom I am only known by my obligations to him. If you live in any habits with my old friend the Provost, I shall be glad that he too sees this, my humble apology.

Adieu! Once more accept my best thanks for the interest you take in me. Believe that it is received by a heart not yet so old as to have lost its susceptibility. All here give you the best old-fashioned wishes of the season, and believe me, with the greatest truth and regard, my dear sir, your most faithful and obliged humble servant,

EDMUND BURKE.

BEACONSFIELD, *New Year's Day*, 1780.

I am frightened at the trouble I give you and our friends; but I recollect that you are mostly lawyers, and habituated to read long tiresome papers, and where your friendship is concerned, without a fee. I am sure, too, that you will not act the lawyer in scrutinising too minutely every expression which my haste may make me use. I forgot to mention my friend O'Hara and others, but you will communicate it as you please.

X.

A LETTER to JOHN MERLOTT, Esq.[1]

DEAR SIR,

I AM very unhappy to find that my conduct in the business of Ireland on a former occasion had made many to be cold and indifferent, who would otherwise have been warm in my favour. I really thought that events would have produced a quite contrary effect, and would have proved to all the inhabitants of Bristol that it was no desire of opposing myself to their wishes, but a certain knowledge of the necessity of their affairs, and a tender regard to their honour and interest, which induced me to take the part which I then took. They placed me in a situation which might enable me to discern what was fit to be done on a consideration of the relative circumstances of this country and all its neighbours. This was what you could not so well do yourselves; but you had a right to expect that I

[1] An eminent merchant in the City of Bristol, of which Mr Burke was one of the Representatives in Parliament. It relates to the same subject as the preceding letter.

should avail myself of the advantage which I derived from your favour. Under the impression of this duty and this trust, I had endeavoured to render by preventive graces and concessions every act of power at the same time an act of lenity — the result of English bounty, and not of English timidity and distress. I really flattered myself that the events which have proved beyond dispute the prudence of such a maxim, would have obtained pardon for me, if not approbation. But if I have not been so fortunate, I do most sincerely regret my great loss; with this comfort, however, that if I have disobliged my constituents, it was not in pursuit of any sinister interest, or any party passion of my own, but in endeavouring to save them from disgrace, along with the whole community to which they and I belong. I shall be concerned for this, and very much so; but I should be more concerned if, in gratifying a present humour of theirs, I had rendered myself unworthy of their former or their future choice. I confess that I could not bear to face my constituents at the next General Election if I had been a rival to Lord North in the glory of having refused some small, insignificant concessions in favour of Ireland, to the arguments and supplications of English Members of Parliament; and in the very next Session, on the demand of 40,000 Irish bayonets, of having made a speech of two hours long to prove, that my former conduct was founded upon no one right principle either of policy, justice, or commerce. I never heard a more

elaborate, more able, more convincing, and more shameful speech. The debator obtained credit; but the statesman was disgraced for ever. Amends were made for having refused small but timely concessions by an unlimited and untimely surrender, not only of every one of the objects of former restraints, but virtually of the whole legislative power itself, which had made them. For it is not necessary to inform you that the unfortunate Parliament of this kingdom did not dare to qualify the very liberty she gave of trading with her *own* plantations, by applying, of her *own* authority, any one of the commercial regulations to the new traffic of Ireland, which bind us here under the several Acts of Navigation. We were obliged to refer them to the Parliament of Ireland as conditions, just in the same manner, as if we were bestowing a privilege of the same sort on France and Spain, or any other independent power, and, indeed, with more studied caution than we should have used, not to shock the principle of their independence. How the minister reconciled the refusal to reason, and the surrender to arms, raised in defiance of the prerogatives of the Crown to his master, I know not; it has probably been settled, in some way or other, between themselves. But, however the king and his ministers may settle the question of his dignity and his rights, I thought it became me by vigilance and foresight to take care of yours; I thought I ought rather to lighten the ship in time than expose it to a total wreck. The conduct pursued seemed to me with-

out weight or judgment, and more fit for a member for Banbury than a member for Bristol. I stood, therefore, silent with grief and vexation on that day of the signal shame and humiliation of this degraded king and country. But it seems the pride of Ireland in the day of her power was equal to ours, when we dreamt we were powerful too. I have been abused there even for my silence, which was construed into a desire of exciting discontent in England. But, thank God, my letter to Bristol was in print; my sentiments on the policy of the measure were known and determined, and such as no man could think me absurd enough to contradict. When I am no longer a free agent, I am obliged in the crowd to yield to necessity; it is surely enough that I silently submit to power; it is enough that I do not foolishly affront the conqueror; it is too hard to force me to sing his praises, whilst I am led in triumph before him; or to make the panegyric of our own minister, who would put me neither in a condition to surrender with honour, or to fight with the smallest hope of victory. I was, I confess, sullen and silent on that day; and shall continue so, until I see some disposition to inquire into this and other causes of the national disgrace. If I suffer in my reputation for it in Ireland, I am sorry; but it neither does nor can affect me so nearly as my suffering in Bristol, for having wished to unite the interests of the two nations in a manner that would secure the supremacy of this.

Will you have the goodness to excuse the length of

this letter. My earnest desire of explaining myself in every point which may affect the mind of any worthy gentleman in Bristol is the cause of it. To yourself, and to your liberal and manly notions, I know it is not so necessary. Believe me, my dear sir,—Your most faithful and obedient humble Servant,

EDMUND BURKE.

BEACONSFIELD, *4th April* 1780.

To John Merlott, Esq., Bristol.

XI.

A LETTER to WILLIAM SMITH, Esq.[1]

MY DEAR SIR,

YOUR letter is, to myself, infinitely obliging; with regard to you, I can find no fault with it, except that of a tone of humility and disqualification, which neither your rank, nor the place you are in, nor the profession you belong to, nor your very extraordinary learning and talents, will, in propriety, demand, or perhaps admit. These dispositions will be still less proper, if you should feel them in the extent your modesty leads you to express them. You have certainly given by far too strong a proof of self-diffidence by asking the opinion of a man, circumstanced as I am, on the important subject of your letter. You are far more capable of forming just conceptions upon it than I can be. However, since you are pleased to command me to lay before you my thoughts, as materials upon

[1] Then a member of the Irish Parliament; afterwards one of the Barons of the Court of Exchequer in Ireland.

which your better judgment may operate, I shall obey you; and submit them, with great deference, to your melioration or rejection.

But first permit me to put myself in the right. I owe you an answer to your former letter. It did not desire one; but it deserved it. If not for an answer, it called for an acknowledgment. It was a new favour; and indeed I should be worse than insensible if I did not consider the honours you have heaped upon me with no sparing hand, with becoming gratitude. But your letter arrived to me at a time, when the closing of my long and last business in life, a business extremely complex, and full of difficulties and vexations of all sorts, occupied me in a manner which those who have not seen the interior as well as exterior of it, cannot easily imagine. I confess that in the crisis of that rude conflict, I neglected many things that well deserved my best attention—none that deserved it better, or have caused me more regret in the neglect, than your letter. The instant that business was over, and the House had passed its judgment on the conduct of the managers, I lost no time to execute what for years I had resolved on; it was to quit my public station, and to seek that tranquillity in my very advanced age, to which, after a very tempestuous life, I thought myself entitled. But God has thought fit (and I unfeignedly acknowledge His justice) to dispose of things otherwise. So heavy a calamity has fallen upon me as to disable me for business, and to disqualify me for repose. The

existence I have, I do not know that I can call life. Accordingly I do not meddle with any one measure of Government, though, for what reasons I know not, you seem to suppose me deeply in the secret of affairs. I only know, so far as your side of the water is concerned, that your present excellent Lord Lieutenant (the best man in every relation that I have ever been acquainted with) has perfectly pure intentions with regard to Ireland; and, of course, that he wishes cordially well to those who form the great mass of its inhabitants; and who, as they are well or ill managed, must form an important part of its strength or weakness. If with regard to that great object he has carried over any ready-made system, I assure you it is perfectly unknown to me; I am very much retired from the world, and live in much ignorance. This, I hope, will form my humble apology, if I should err in the notions I entertain of the question, which is soon to become the subject of your deliberations. At the same time, accept it as an apology for my neglects.

You need make no apology for your attachment to the religious description you belong to. It proves (as in you it is sincere) your attachment to the great points in which the leading divisions are agreed, when the lesser, in which they differ, are so dear to you. I shall never call any religious opinions, which appear important to serious and pious minds, things of no consideration. Nothing is so fatal to religion as indifference, which is, at least, half infidelity. As long as men

hold charity and justice to be essential integral parts of religion, there can be little danger from a strong attachment to particular tenets in faith. This I am perfectly sure is your case; but I am not equally sure that either zeal for the tenets of faith, or the smallest degree of charity or justice, have much influenced the gentlemen who, under pretexts of zeal, have resisted the enfranchisement of their country. My dear son, who was a person of discernment, as well as clear and acute in his expressions, said in a letter of his which I have seen, "that in order to grace their cause, and to draw some respect to their persons, they pretend to be bigots." But here I take it we have not much to do with the theological tenets on the one side of the question or the other. The point itself is practically decided. That religion is owned by the State. Except in a settled maintenance, it is protected. A great deal of the rubbish, which, as a nuisance, long obstructed the way, is removed. One impediment remained longer, as a matter to justify the proscription of the body of our country, after the rest had been abandoned as untenable ground. But the business of the pope (that mixed person of politics and religion), has long ceased to be a bugbear; for some time past he has ceased to be even a colourable pretext. This was well known when the Catholics of these kingdoms, for our amusement, were obliged on oath to disclaim him in his political capacity; which implied an allowance for them to recognise him in some sort of

ecclesiastical superiority. It was a compromise of the old dispute.

For my part, I confess, I wish that we had been less eager in this point. I don't think, indeed, that much mischief will happen from it if things are otherwise properly managed. Too nice an inquisition ought not to be made into opinions that are dying away of themselves. Had we lived a hundred and fifty years ago, I should have been as earnest and anxious as anybody for this sort of abjuration; but, living at the time in which I live, and obliged to speculate forward instead of backward, I must fairly say I could well endure the existence of every sort of collateral aid, which opinion might, in the now state of things, afford to authority. I must see much more danger than in my life I have seen, or than others will venture seriously to affirm that they see in the pope aforesaid (though a foreign power, and with his long tail of etceteras), before I should be active in weakening any hold which Government might think it prudent to resort to in the management of that large part of the king's subjects. I do not choose to direct all my precautions to the part where the danger does not press, and to leave myself open and unguarded where I am not only really but visibly attacked.

My whole politics at present centre in one point, and to this the merit or demerit of every measure (with me) is referable; that is, what will most promote or depress the cause of Jacobinism. What is Jacobinism? It is an attempt (hitherto but too successful) to eradicate

prejudice out of the minds of men for the purpose of putting all power and authority into the hands of the persons capable of occasionally enlightening the minds of the people. For this purpose the Jacobins have resolved to destroy the whole frame and fabric of the old societies of the world, and to regenerate them after their fashion. To obtain an army for this purpose they everywhere engage the poor by holding out to them as a bribe the spoils of the rich. This I take to be a fair description of the principles and leading maxims of the enlightened of our day, who are commonly called Jacobins.

As the grand prejudice, and that which holds all the other prejudices together, the first, last, and middle object of their hostility is religion. With that they are at inexpiable war. They make no distinction of sects. A Christian as such is to them an enemy. What then is left to a real Christian (Christian as a believer and as a statesman) but to make a league between all the grand divisions of that name—to protect and to cherish them all, and by no means to proscribe in any manner, more or less, any member of our common party? The divisions which formerly prevailed in the Church, with all their overdone zeal, only purified and ventilated our common faith, because there was no common enemy arrayed and embattled to take advantage of their dissensions; but now nothing but inevitable ruin will be the consequence of our quarrels. I think we may dispute, rail, persecute, and provoke the Catholics out of

their prejudices; but it is not in ours they will take refuge. If anything is, one more than another, out of the power of man, it is to *create* a prejudice. Somebody has said that a king may make a nobleman, but he cannot make a gentleman.

All the principal religions in Europe stand upon one common bottom. The support that the whole or the favoured parts may have in the secret dispensations of Providence it is impossible to tell; but, humanly speaking, they are all *prescriptive* religions. They have all stood long enough to make prescription and its chain of legitimate prejudices their mainstay. The people, who compose the four grand divisions of Christianity, have now their religion as a habit, and upon authority, and not on disputation,—as all men who have their religion derived from their parents, and the fruits of education, *must* have it, however the one, more than the other, may be able to reconcile his faith to his own reason, or to that of other men. Depend upon it they must all be supported, or they must all fall in the crash of a common ruin. The Catholics are the far more numerous part of the Christians in your country; and how can Christianity (that is now the point in issue) be supported under the persecution, or even under the discountenance of the greater number of Christians? It is a great truth, and which in one of the debates I stated as strongly as I could to the House of Commons in the last session, that if the Catholic religion is destroyed by the infidels, it is a most contemptible and absurd idea that this or

any Protestant Church can survive that event. Therefore my humble and decided opinion is, that all the three religions, prevalent more or less in various parts of these islands, ought all, in subordination to the legal establishments as they stand in the several countries, to be all countenanced, protected, and cherished; and that in Ireland particularly the Roman Catholic religion should be upheld in high respect and veneration; and should be, in its place, provided with all the means of making it a blessing to the people who profess it; that it ought to be cherished as a good (though not as the most preferable good, if a choice was now to be made), and not tolerated as an inevitable evil. If this be my opinion as to the Catholic religion as a sect, you must see that I must be to the last degree averse to put a man, upon that account, upon a bad footing with relation to the privileges which the fundamental laws of this country give him as a subject. I am the more serious on the positive encouragement to be given to this religion (always, however, as secondary), because the serious and earnest belief and practice of it by its professors forms, as things stand, the most effectual barrier, if not the sole barrier, against Jacobinism. The Catholics form the great body of the lower ranks of your community, and no small part of those classes of the middling that come nearest to them. You know that the seduction of that part of mankind from the principles of religion, morality, subordination, and social order is the great object of the Jacobins. Let them

grow lax, sceptical, careless, and indifferent with regard to religion, and so sure as we have an existence, it is not a zealous Anglican or Scottish Church principle, but direct Jacobinism, which will enter into that breach. Two hundred years dreadfully spent in experiments to force that people to change the form of their religion have proved fruitless. You have now your choice, for full four-fifths of your people, of the Catholic religion or Jacobinism. If things appear to you to stand on this alternative, I think you will not be long in making your option.

You have made, as you naturally do, a very able analysis of powers, and have separated, as the things are separable, civil from political powers. You start, too, a question whether the civil can be secured without some share in the political. For my part, as abstract questions, I should find some difficulty in an attempt to resolve them. But as applied to the state of Ireland, to the form of our commonwealth, to the parties that divide us, and to the dispositions of the leading men in those parties, I cannot hesitate to lay before you my opinion, that whilst any kind of discouragements and disqualifications remain on the Catholics, a handle will be made by a factious power utterly to defeat the benefits of any civil rights they may apparently possess. I need not go to very remote times for my examples. It was within the course of about a twelvemonth that, after Parliament had been led into a step quite unparalleled in its records,—after they had resisted all concession, and

even hearing, with an obstinacy equal to anything that could have actuated a party domination in the second or eighth of Queen Anne,—after the strange adventure of the grand juries,—and after Parliament had listened to the sovereign pleading for the emancipation of his subjects;—it was after all this that such a grudging and discontent was expressed as must justly have alarmed, as it did extremely alarm, the whole of the Catholic body; and I remember but one period in my whole life (I mean the savage period between 1761 and 1767) in which they have been more harshly or contumeliously treated than since the last partial enlargement. And thus I am convinced it will be by paroxysms, as long as any stigma remains on them, and whilst they are considered as no better than half citizens. If they are kept such for any length of time they will be made whole Jacobins. Against this grand and dreadful evil of our time (I do not love to cheat myself or others) I do not know any solid security whatsoever. But I am quite certain that what will come nearest to it is to interest as many as you can in the present order of things, religiously, civilly, politically, by all the ties and principles by which mankind are held. This is like to be the effectual policy—I am sure it is honourable policy; and it is better to fail, if fail we must, in the paths of direct and manly than of low and crooked wisdom.

As to the capacity of sitting in Parliament, after all the capacities for voting, for the army, for the navy, for the professions, for civil offices, it is a dispute *de land*

caprinâ, in my poor opinion,—at least on the part of those who oppose it. In the first place, this admission to office, and this exclusion from Parliament, on the principle of an exclusion from political power, is the very reverse of the principle of the English Test Act. If I were to form a judgment from experience rather than theory, I should doubt much whether the capacity for, or even the possession of, a seat in Parliament did really convey much of power to be properly called political. I have sat there, with some observation, for nine and twenty years or thereabouts. The power of a member of Parliament is uncertain and indirect; and if power rather than splendour and fame were the object, I should think that any of the principal clerks in office, to say nothing of their superiors (several of whom are disqualified by law for seats in Parliament) possesses far more power than nine-tenths of the members of the House of Commons. I might say this of men who seemed from their fortunes, their weight in their country, and their talents, to be persons of figure there; and persons, too, not in opposition to the prevailing party in government.

But be they what they will, on a fair canvass of the several prevalent Parliamentary interests in Ireland, I cannot, out of the three hundred members, of whom the Irish Parliament is composed, discover that above three, or at the utmost four, Catholics would be returned to the House of Commons. But suppose they should amount to thirty, that is, to a tenth part (a thing I hold impos-

sible for a long series of years, and never very likely to happen), what is this to those who are to balance them in the one house, and the clear and settled majority in the other? for I think it absolutely impossible that, in the course of many years, above four or five peers should be created of that communion. In fact, the exclusion of them seems to me only to mark jealousy and suspicion, and not to provide security in any way. But I return to the old ground. The danger is not there; these are things long since done away. The grand controversy is no longer between you and them. Forgive this length. My pen has insensibly run on. You are yourself to blame if you are much fatigued. I congratulate you on the auspicious opening of your session. Surely Great Britain and Ireland ought to join in wreathing a never fading garland for the head of Grattan. Adieu! my dear sir—good nights to you! I never can have any.—Yours always most sincerely.

EDMUND BURKE.

29th January 1795.
Twelve at night.

XII.

A SECOND LETTER to Sir Hercules Langrishe.

My dear Sir,

If I am not as early as I ought to be in my acknowledgments for your very kind letter, pray do me the justice to attribute my failure to its natural and but too real cause,—a want of the most ordinary power of exertion, owing to the impressions made upon an old and infirm constitution by private misfortune and by public calamity. It is true I make occasional efforts to rouse myself to something better, but I soon relapse into that state of languor which must be the habit of my body and understanding to the end of my short and cheerless existence in this world.

I am sincerely grateful for your kindness in connecting the interest you take in the sentiments of an old friend with the able part you take in the service of your country. It is an instance among many of that happy temper which has always given a character of amenity to your virtues, and a good-natured direction to your talents.

Your speech on the Catholic question I read with much satisfaction. It is solid, it is convincing, it is eloquent, and it ought on the spot to have produced that effect which its reason, and that contained in the other excellent speeches on the same side of the question, cannot possibly fail (though with less pleasant consequences) to produce hereafter. What a sad thing it is that the grand instructor, time, has not yet been able to teach the grand lesson of his own value, and that in every question of moral and political prudence it is the choice of the moment which renders the measure serviceable or useless, noxious or salutary!

In the Catholic question I considered only one point. Was it, at the time and in the circumstances, a measure which tended to promote the concord of the citizens? I have no difficulty in saying it was, and as little in saying that the present concord of the citizens was worth buying at a critical season, by granting a few *capacities* which probably no one man now living is likely to be served or hurt by. When any man tells *you* and *me* that if these places were left in the discretion of a Protestant Crown, and these memberships in the discretion of protestant electors or patrons, we should have a Popish official system and a Popish representation capable of overturning the Establishment, he only insults our understandings. When any man tells this to *Catholics* he insults their understandings, and he galls their feelings. It is not the question of the places and seats, it is the real hostile disposition and the *pretended*

fears, that leave stings in the minds of the people. I really thought that in the total of the late circumstances with regard to persons, to things, to principles, and to measures, was to be found a conjuncture favourable to the introduction and to the perpetuation of a general harmony, producing a general strength, which to that hour Ireland was never so happy as to enjoy. My sanguine hopes are blasted, and I must consign my feelings on that terrible disappointment to the same patience in which I have been obliged to bury the vexation I suffered on the defeat of the other great, just, and honourable causes in which I have had some share, and which have given more of dignity than of peace and advantage to a long laborious life. Though, perhaps, a want of success might be urged as a reason for making me doubt of the justice of the part I have taken, yet until I have other lights than one side of the debate has furnished me, I must see things, and feel them too, as I see and feel them. I think I can hardly overrate the malignity of the principles of Protestant ascendency as they affect Ireland; or of Indianism as they affect these countries, and as they affect Asia; or of Jacobinism, as they affect all Europe and the state of human society itself. The last is the greatest evil; but it really combines with the others, and flows from them. Whatever breeds discontent at this time will produce that great master-mischief most infallibly. Whatever tends to persuade the people that the *few*, called by whatever name you please, religious or political, are of opinion

that their interest is not compatible with that of the *many*, is a great point gained to Jacobinism. Whatever tends to irritate the talents of a country, which have at all times, and at these particularly, a mighty influence on the public mind, is of infinite service to that formidable cause. Unless where heaven has mingled uncommon ingredients of virtue in the composition—*quos meliore luto finxit præcordia Titan*—talents naturally gravitate to Jacobinism. Whatever ill-humours are afloat in the State, they will be sure to discharge themselves in a mingled torrent in the *cloacâ maximâ* of Jacobinism. Therefore people ought well to look about them. First, the physicians are to take care that they do nothing to irritate this epidemical distemper. It is a foolish thing to have the better of the patient in a dispute. The complaint, or its cause, ought to be removed, and wise and lenient arts ought to precede the measures of vigour. They ought to be the *ultima*, not the *prima*, not the *tota* ratio of a wise government. God forbid that on a worthy occasion authority should want the means of force, or the disposition to use it. But where a prudent and enlarged policy does not precede it, and attend it too, where the hearts of the better sort of people do not go with the hands of the soldiery, you may call your constitution what you will, in effect it will consist of three parts (orders, if you please)—cavalry, infantry, and artillery,—and of nothing else or better.

I agree with you in your dislike of the discourses in

Francis Street; but I like as little some of those in College Green. I am even less pleased with the temper that predominated in the latter, as better things might have been expected in the regular family mansion of public discretion, than in a new and hasty assembly of unexperienced men, congregated under circumstances of no small irritation. After people have taken your tests, prescribed by yourselves as proofs of their allegiance, to be marked as enemies, traitors, or at best as suspected and dangerous persons, and that they are not to be believed on their oaths, we are not to be surprised if they fall into a passion, and talk, as men in a passion do, intemperately and idly.

The worst of the matter is this—you are partly leading, partly driving, into Jacobinism that description of your people whose religious principles—Church polity and habitual discipline—might make them an invincible dyke against that inundation. This you have a thousand mattocks and pickaxes lifted up to demolish. You make a sad story of the Pope!—*O seri studiorum!*—It will not be difficult to get many called Catholics to laugh at this fundamental part of their religion. Never doubt it. You have succeeded in part; and you may succeed completely. But in the present state of men's minds and affairs, do not flatter yourselves that they will piously look to the head of our Church in the place of that Pope whom you make them forswear; and out of all reverence to whom you bully, and rail, and buffoon them. Perhaps you may succeed in the same manner

with all the other tenets of doctrine and usages of discipline amongst the Catholics. But what security have you that in the temper, and on the principles on which they have made this change, they will stop at the exact sticking places you have marked in *your* articles? You have no security for anything, but that they will become what are called *Franco-Jacobins*, and reject the whole together. No converts now will be made in a considerable number from one of our sects to the other upon a really religious principle. Controversy moves in another direction.

(Next to religion, *property* is the great point of Jacobin attack.) Here many of the debaters in your majority, and their writers, have given the Jacobins all the assistance their hearts can wish. When the Catholics desire places and seats, you tell them that this is only a pretext (though Protestants might suppose it just *possible* for men to like good places and snug boroughs for their own merits); but that their real view is to strip Protestants of their property. To my certain knowledge till those Jacobin lectures were opened in the House of Commons, they never dreamt of any such thing; but now, the great professors may stimulate them to inquire (on the new principles) into the foundation of that property, and of all property. If you treat men as robbers, why robbers, sooner or later, they will become.

(A third point of Jacobin attack is on *old traditionary constitutions.*) You are apprehensive for yours, which leans from its perpendicular, and does not stand firm

on its theory. I like Parliamentary reforms as little as any man who has boroughs to sell for money or for peerages in Ireland. But it passes my comprehension in what manner it is that men can be reconciled to the *practical* merits of a constitution, the theory of which is in litigation, by being *practically* excluded from any of its advantages. Let us put ourselves in the place of these people, and try an experiment of the effects of such a procedure on our own minds. Unquestionably we should be perfectly satisfied when we were told that Houses of Parliament, instead of being places of refuge for popular liberty, were citadels for keeping us in order as a conquered people. These things play the Jacobin game to a nicety. Indeed, my dear sir, there is not a single particular in the Francis Street declamations, which has not, to your and to my certain knowledge, been taught by the jealous ascendants, sometimes by doctrine, sometimes by example, always by provocation. Remember the whole of 1781 and 1782—in Parliament and out of Parliament—at this very day, and in the worst acts and designs, observe the tenor of the objections with which the College Green orators of the ascendency reproach the Catholics. You have observed, no doubt, how much they rely on the affair of Jackson. Is it not pleasant to hear Catholics reproached for a supposed connection—with whom?—with Protestant clergymen, with Protestant gentlemen!—with Mr. Jackson!—with Mr. Rowan, etc. etc.! But *egomet mi ig nosco.* Conspiracies and treasons are privileged

pleasures, not to be profaned by the impure and unhallowed touch of Papists. Indeed, all this will do perhaps well enough with detachments of dismounted cavalry and fencibles from England. But let us not say to Catholics, by way of *argument*, that they are to be kept in a degraded state because some of them are no better than many of us Protestants. The thing I most disliked in some of their speeches (those I mean of the Catholics) was what is called the spirit of liberality, so much and so diligently taught by the ascendants, by which they are made to abandon their own particular interests, and to merge them in the general discontents of the country. It gave me no pleasure to hear of the dissolution of the committee. There were in it a majority, to my knowledge, of very sober well-intentioned men; and there were none in it but such who, if not continually goaded and irritated, might be made useful to the tranquillity of the country. It is right always to have a few of every description, through whom you may quietly operate on the many, both for the interests of the description, and for the general interest. Excuse me, my dear friend, if I have a little tried your patience. You have brought this trouble on yourself, by your thinking of a man forgot, and who has no objection to be forgot, by the world. These things we discussed together four or five and thirty years ago. We were then, and at bottom ever since, of the same opinion on the justice and policy of the whole, and of every part, of the penal system. You and I and everybody must now

and then ply and bend to the occasion, and take what can be got. But very sure I am that whilst there remains in the law any principle whatever which can furnish to certain politicians an excuse for raising an opinion of their own importance as necessary to keep their fellow-subjects in order, the obnoxious people will be fretted, harassed, insulted, provoked to discontent and disorder, and practically excluded from the partial advantages from which the letter of the law does not exclude them.

Adieu! my dear sir, and believe me very truly yours,

EDMUND BURKE.

BEACONSFIELD, 26*th May* 1795.

XIII.

A LETTER to RICHARD BURKE, Esq.[1]

MY DEAR SON,

WE are all again assembled in town to finish the last, but the most laborious, of the tasks which have been imposed upon me during my Parliamentary service. We are as well as, at our time of life, we can expect to be. We have indeed some moments of anxiety about you. You are engaged in an undertaking similar in its principle to mine. You are engaged in the relief of an oppressed people.[2] In that service you must necessarily excite the same sort of passions in those who have exercised and who wish to continue that oppression that I have had to struggle with in this long labour. As your

[1] Of this letter the first part appears to have been originally addressed by Mr. Burke to his son in the manner in which it is now printed, but to have been left unfinished; after whose death he probably designed to have given the substance of it, with additional observations, to the public in some other form; but never found leisure or inclination to finish it.

[2] Richard Burke acted as agent for the Roman Catholics of Ireland, with the approbation of his father. He died in 1794.

father has done (you must make enemies of many of the rich, of the proud, and of the powerful.) I and you began in the same way. I must confess that if our place was of our choice, I could wish it had been your lot to begin the career of your life with an endeavour to render some more moderate and less invidious service to the public. But being engaged in a great and critical work, I have not the least hesitation about your having hitherto done your duty as becomes you. If I had not an assurance not to be shaken from the character of your mind, I should be satisfied on that point by the cry that is raised against you. If you had behaved, as they call it, discreetly, that is, faintly and treacherously in the execution of your trust, you would have had, for a while, the good word of all sorts of men, even of many of those whose cause you had betrayed; and whilst your favour lasted, you might have coined that false reputation into a true and solid interest to yourself. This you are well apprised of; and you do not refuse to travel that beaten road from an ignorance, but from a contempt of the objects it leads to.

When you choose an arduous and slippery path, God forbid that any weak feelings of my declining age, which calls for soothings and supports, and which can have none but from you, should make me wish that you should abandon what you are about, or should trifle with it. In this House we submit, though with troubled minds, to that order which has connected all great duties with toils and with perils, which has conducted the road to glory

through the regions of obloquy and reproach, and which will never suffer the disparaging alliance of spurious, false, and fugitive praise with genuine and permanent reputation. We know that the power which has settled that order, and subjected you to it by placing you in the situation you are in, is able to bring you out of it with credit and with safety. His will be done. All must come right. You may open the way with pain, and under reproach. Others will pursue it with ease and with applause.

I am sorry to find that pride and passion, and that sort of zeal for religion which never shows any wonderful heat but when it afflicts and mortifies our neighbour, will not let the ruling description perceive that the privilege for which your clients contend, is very nearly as much for the benefit of those who refuse it as those who ask it. I am not to examine into the charges that are daily made on the Administration of Ireland. I am not qualified to say how much in them is cold truth, and how much rhetorical exaggeration. Allowing some foundation to the complaint, it is to no purpose that these people allege that their Government is a job in its administration. I am sure it is a job in its constitution; nor is it possible, a scheme of polity, which, in total exclusion of the body of the community, confines (with little or no regard to their rank or condition in life) to a certain set of favoured citizens the rights which formerly belonged to the whole, should not, by the operation of the same selfish and narrow

principles, teach the persons who administer in that Government to prefer their own particular but well-understood private interest to the false and ill-calculated private interest of the monopolising Company they belong to. Eminent characters, to be sure, overrule places and circumstances. I have nothing to say to that virtue which shoots up in full force by the native vigour of the seminal principle, in spite of the adverse soil and climate that it grows in. But, speaking of things in their ordinary course, in a country of monopoly there *can* be no patriotism. There may be a party spirit—but public spirit there can be none. As to a spirit of liberty, still less can it exist, or anything like it. A liberty made up of penalties! a liberty made up of incapacities! a liberty made up of exclusion and proscription, continued for ages, of four fifths, perhaps, of the inhabitants of all ranks and fortunes! In what does such liberty differ from the description of the most shocking kind of servitude?

But it will be said in that country some people are free—why, this is the very description of despotism. *Partial freedom is privilege and prerogative, and not liberty.* Liberty, such as deserves the name, is an honest, equitable, diffusive, and impartial principle. It is a great and enlarged virtue, and not a sordid, selfish, and illiberal vice. It is the portion of the mass of the citizens; and not the haughty license of some potent individual, or some predominant faction.

If anything ought to be despotic in a country, it is

its government; because there is no cause of constant operation to make its yoke unequal. But the dominion of a party must continually, steadily, and by its very essence, lean upon the prostrate description. A constitution formed so as to enable a party to overrule its very government, and to overpower the people too, answers the purposes neither of government nor of freedom. It compels that power which ought and often would be disposed *equally* to protect the subjects, to fail in its trust, to counteract its purposes, and to become no better than the instrument of the wrongs of a faction. Some degree of influence must exist in all governments. But a government which has no interest to please the body of the people, and can neither support them, nor with safety call for their support, nor is of power to sway the domineering faction, can only exist by corruption; and taught by that monopolising party, which usurps the title and qualities of the public, to consider the body of the people as out of the constitution, they will consider those who are in it in the light in which they choose to consider themselves. The whole relation of government and of freedom will be a battle or a traffic.

This system, in its real nature, and under its proper appellations, is odious and unnatural, especially when a constitution is admitted, which not only, as all constitutions do profess, has a regard to the good of the multitude, but in its theory makes \ .ofession of their power also. But of late this scheme of theirs has been

new christened—*honestum nomen imponitur vitio.* A word has been lately struck in the mint of the Castle of Dublin; thence it was conveyed to the Tholsel, or City Hall, where, having passed the touch of the Corporation, so respectably stamped and vouched, it soon became current in Parliament, and was carried back by the Speaker of the House of Commons in great pomp, as an offering of homage from whence it came. The word is *Ascendency.* It is not absolutely new. But the sense in which I have hitherto seen it used, was to signify an influence obtained over the minds of some other person by love and reverence, or by superior management and dexterity. It had, therefore, to this its promotion no more than a moral, not a civil or political use. But I admit it is capable of being so applied; and if the Lord Mayor of Dublin, and the Speaker of the Irish Parliament, who recommend the preservation of the Protestant ascendency, mean to employ the word in that sense—that is, if they understand by it the preservation of the influence of that description of gentlemen over the Catholics by means of an authority derived from their wisdom and virtue, and from an opinion they raise in that people of a pious regard and affection for their freedom and happiness, it is impossible not to commend their adoption of so apt a term into the family of politics. It may be truly said to enrich the language. Even if the Lord Mayor and Speaker mean to insinuate that this influence is to be obtained and held by flattering their people, by managing them, by skilfully adapt-

ing themselves to the humours and passions of those whom they would govern, he must be a very untoward critic who would cavil even at this use of the word, though such cajoleries would perhaps be more prudently practised than professed. These are all meanings laudable, or at least tolerable. But when we look a little more narrowly, and compare it with the plan to which it owes its present technical application, I find it has strayed far from its original sense. It goes much farther than the privilege allowed by Horace. It is more than *parcè detortum.* (This Protestant ascendency means nothing less than an influence obtained by virtue, by love, or even by artifice and seduction,) full as little an influence derived from the means by which ministers have obtained an influence, which might be called without straining an *ascendency* in public assemblies in England, that is, by a liberal distribution of places and pensions, and other graces of Government. This last is wide indeed of the signification of the word. New *ascendency* is the old mastership. (It is neither more nor less than the resolution of one set of people in Ireland to consider themselves as the sole citizens in the commonwealth, and to keep a dominion over the rest by reducing them to absolute slavery under a military power; and thus fortified in their power, to divide the public estate, which is the result of general contribution, as a military booty solely amongst themselves.)

The poor word ascendency, so soft and melodious in its sound, so lenitive and emollient in its first usage, is

now employed to cover to the world the most rigid, and perhaps not the most wise, of all plans of policy. The word is large enough in its comprehension. I cannot conceive what mode of oppression in civil life, or what mode of religious persecution may not come within the methods of preserving an *ascendency*. In plain old English, as they apply it, it signifies *pride and dominion* on the one part of the relation, and on the other *subserviency and contempt*—and it signifies nothing else. The old words are as fit to be set to music as the new; but use has long since affixed to them their true signification, and they sound, as the other will, harshly and odiously to the moral and intelligent ears of mankind.

This ascendency, by being a *Protestant* ascendency, does not better it from the combination of a note or two more in this anti-harmonic scale. If Protestant ascendency means the prescription from citizenship of by far the major part of the people of any country, then Protestant ascendency is a bad thing, and it ought to have no existence. But there is a deeper evil. By the use that is so frequently made of the term, and the policy which is engrafted on it, the name Protestant becomes nothing more or better than the name of a persecuting faction, with a relation of some sort of theological hostility to others, but without any sort of ascertained tenets of its own, upon the ground of which it persecutes other men; for the patrons of this Protestant ascendency neither do, nor can by anything positive, define or describe what they mean by the word Protestant. It

is defined, as Cowley defines wit, not by what it is, but by what it is not. It is not the Christian religion as professed in the churches holding communion with Rome—the majority of Christians; that is all which, in the latitude of the term, is known about the signification. This makes such persecutors ten times worse than any of that description that hitherto have been known in the world. The old persecutors, whether Pagan or Christian, whether Arian or Orthodox, whether Catholics, Anglicans, or Calvinists, actually were, or at least had the decorum to pretend to be, strong dogmatists. They pretended that their religious maxims were clear and ascertained, and so useful that they were bound for the eternal benefit of mankind to defend or diffuse them, though by any sacrifices of the temporal good of those who were the objects of their system of experiment.

The bottom of this theory of persecution is false. It is not permitted to us to sacrifice the temporal good of any body of men to our own ideas of the truth and falsehood of any religious opinions. By making men miserable in this life, they counteract one of the great ends of charity, which is, inasmuch as in us lies, to make men happy in every period of their existence, and most in what most depends upon us. But give to these old persecutors their mistaken principle, in their reasoning they are consistent, and in their tempers they may be even kind and good-natured. But whenever a faction would render millions of mankind miserable, some

millions of the race co-existent with themselves, and many millions in their succession, without knowing, or so much as pretending to ascertain, the doctrines of their own school (in which there is much of the lash and nothing of the lesson), the errors which the persons in such a faction fall into are not those that are natural to human imbecility, nor is the least mixture of mistaken kindness to mankind an ingredient in the severities they inflict. The whole is nothing but pure and perfect malice. It is indeed a perfection in that kind belonging to beings of a higher order than man, and to them we ought to leave it.

This kind of persecutors, without zeal, without charity, know well enough that religion, to pass by all questions of the truth or falsehood of any of its particular systems (a matter I abandoned to the theologians on all sides) is a source of great comfort to us mortals in this our short but tedious journey through the world. They know that to enjoy this consolation, men must believe their religion upon some principle or other, whether of education, habit, theory, or authority. When men are driven from any of those principles on which they have received religion, without embracing with the same assurance and cordiality some other system, a dreadful void is left in their minds, and a terrible shock is given to their morals. They lose their guide, their comfort, their hope. None but the most cruel and hard-hearted of men, who had banished all natural tenderness from their minds, such as those beings of

iron, the atheists, could bring themselves to any persecution like this. Strange it is, but so it is, that men, driven by force from their habits in one mode of religion, have, by contrary habits under the same force, often quietly settled in another. They suborn their reason to declare in favour of their necessity. Man and his conscience cannot always be at war. If the first races have not been able to make a pacification between the conscience and the convenience, their descendants come generally to submit to the violence of the laws without violence to their minds. As things stood formerly, they possessed a *positive* scheme of direction and of consolation. In this men may acquiesce. The harsh methods in use with the old class of persecutors were to make converts—not apostates only. If they perversely hated other sects and factions, they loved their own inordinately. But in this Protestant persecution there is anything but benevolence at work. What do the Irish statutes? They do not make a conformity to the *established* religion, and to its doctrines and practices, the condition of getting out of servitude. No such thing. Let three millions of people but abandon all that they and their ancestors have been taught to believe sacred, and to forswear it publicly in terms the most degrading, scurrilous, and indecent for men of integrity and virtue, and to abuse the whole of their former lives, and to slander the education they have received,—and nothing more is required of them. There is no system of folly or impiety, or blasphemy, or

atheism, into which they may not throw themselves, and which they may not profess openly, and as a system consistently with the enjoyment of all the privileges of a free citizen in the happiest constitution in the world.

Some of the unhappy assertors of this strange scheme say they are not persecutors on account of religion. In the first place they say what is not true. For what else do they disfranchise the people? If the man gets rid of a religion through which their malice operates, he gets rid of all their penalties and incapacities at once. They never afterwards inquire about him. I speak here of their pretexts, and not of the true spirit of the transaction in which religious bigotry, I apprehend, has little share. Every man has his taste, but I think, if I were so miserable and undone as to be guilty of premeditated and continued violence towards any set of men, I had rather that my conduct was supposed to arise from wild conceits concerning their religious advantages, than from low and ungenerous motives relative to my own selfish interest. I had rather be thought insane in my charity than rational in my malice. This much, my dear son, I have to say of this Protestant persecution, that is, a persecution of religion itself.

A very great part of the mischiefs that vex the world, arises from words. People soon forget the meaning, but the impression and the passion remain. The word Protestant is the charm that locks up in the dungeon of servitude three millions of your people. It is not amiss to consider this spell of potency, this abra-

cadabra that is hung about the necks of the unhappy, not to heal, but to communicate disease. We sometimes hear of a Protestant *religion*, frequently of a Protestant *interest*. We hear of the latter the most frequently, because it has a positive meaning. The other has none. We hear of it the most frequently, because it has a word in the phrase, which well or ill understood, has animated to persecution and oppression at all times infinitely more than all the dogmas in dispute between religious factions. These are indeed well formed to perplex and torment the intellect, but not half so well calculated to inflame the passions and animosities of men.

I do readily admit that a great deal of the wars, seditions, and troubles of the world did formerly turn upon the contention between *interests* that went by the names of Protestant and Catholic. But I imagined that at this time no one was weak enough to believe, or impudent enough to pretend, that questions of Popish and Protestant opinions or interest are the things by which men are at present menaced with crusades by foreign invasion, or with seditions, which shake the foundations of the State at home. It is long since all this combination of things has vanished from the view of intelligent observers. The existence of quite another system of opinions and interests is now plain to the grossest sense. Are these the questions that raise a flame in the minds of men at this day? If ever the Church and the constitution of England should fall in these islands (and they will fall together), it is not Pres-

byterian discipline, nor Popish hierarchy that will rise upon their ruins. It will not be the Church of Rome, nor the Church of Scotland, nor the Church of Luther, nor the Church of Calvin. On the contrary, all these Churches are menaced, and menaced alike. It is the new fanatical religion now in the heat of its first ferment of the rights of man, which rejects all establishments, all discipline, all ecclesiastical, and in truth, all civil order, which will triumph, and which will lay prostrate your Church; which will destroy your distinctions, and which will put all your properties to auction, and disperse you over the earth. If the present establishment should fall, it is this religion which will triumph in Ireland and in England, as it has triumphed in France. This religion, which laughs at creeds and dogmas and confessions of faith, may be fomented equally amongst all descriptions and all sects, amongst nominal Catholics, and amongst nominal Churchmen, and amongst those Dissenters, who know little and care less about a Presbytery, or any of its discipline, or any of its doctrine.

Against this new, this growing, this exterminatory system, all these Churches have a common concern to defend themselves. How the enthusiasts of this rising sect rejoice to see you of the old Churches play their game, and stir and rake the cinders of animosities sunk in their ashes, in order to keep up the execution of their plan for your common ruin!

I suppress all that is in my mind about the blind-

ness of those of our clergy, who will shut their eyes to a thing which glares in such manifest day. If some wretches amongst an indigent and disorderly part of the populace raise a riot about tithes, there are of these gentlemen ready to cry out that this is an overt act of a treasonable conspiracy. Here the bulls and the pardons, and the crusade and the Pope, and the thunders of the Vatican, are everywhere at work. There is a plot to bring in a foreign power to destroy the Church. Alas! it is not about Popes, but about potatoes, that the minds of this unhappy people are agitated. It is not from the spirit of zeal, but the spirit of whisky, that these wretches act. Is it then not conceived possible that a poor clown can be unwilling, after paying three pounds rent to a gentleman in a brown coat, to pay fourteen shillings to one in a black coat, for his acre of potatoes, and tumultuously to desire some modification of the charge without being supposed to have no other motive than a frantic zeal for being thus double-taxed to another set of landholders and another set of priests. Have men no self-interest? no avarice? no repugnance to public imposts? Have they no sturdy and restive minds, no undisciplined habits? Is there nothing in the whole mob of irregular passions which might precipitate some of the common people in some places to quarrel with a legal, because they feel it to be a burthensome imposition! According to these gentlemen, no offence can be committed by Papists but from zeal to their religion.

To make room for the vices of Papists, they clear the house of all the vices of men. Some of the common people (not one, however, in ten thousand) commit disorders. Well! punish them as you do, and as you ought to punish them for their violence against the just property of each individual clergyman as each individual suffers. Support the injured rector or the injured impropriator in the enjoyment of the estate of which (whether on the best plan or not) the laws have put him in possession. Let the crime and the punishment stand upon their own bottom. But now we ought all of us—clergymen most particularly—to avoid assigning another cause of quarrel in order to infuse a new source of bitterness into a dispute which personal feelings on both sides will of themselves make bitter enough, and thereby involve in it by religious descriptions, men who have individually no share whatsoever in those irregular acts. Let us not make the malignant fictions of our own imaginations, heated with factious controversies, reasons for keeping men that are neither guilty nor justly suspected of crime, in a servitude equally dishonourable and unsafe to religion and to the State. When men are constantly accused, but know themselves not to be guilty, they must naturally abhor their accusers. There is no character, when malignantly taken up and deliberately pursued, which more naturally excites indignation and abhorrence in mankind—especially in that part of mankind which suffers from it.

I do not pretend to take pride in an extravagant

attachment to any sect. Some gentlemen in Ireland affect that sort of glory. It is to their taste. Their piety, I take it for granted, justifies the fervour of their zeal, and may palliate the excess of it. Being myself no more than a common layman, commonly informed in controversies, leading only a very common life, and having only a common citizen's interest in the Church or in the State, yet to you I will say, in justice to my own sentiments, that not one of those zealots for a Protestant interest wishes more sincerely than I do—perhaps not half so sincerely—for the support of the Established Church in both these kingdoms. It is a great link towards holding fast the connection of religion with the State, and for keeping these two islands, in their present critical independence of constitution, in a close connection of *opinion and affection*. I wish it well, as the religion of the greater number of the primary landed proprietors of the kingdom with whom all establishments of Church and State, for strong political reasons, ought, in my opinion, to be warmly connected. I wish it well, because it is more closely combined than any other of the Church systems with the *Crown*, which is the stay of the mixed constitution, because it is, as things now stand, the sole connecting *political* principle between the constitutions of the two independent kingdoms. I have another, and infinitely a stronger reason for wishing it well—it is that in the present time I consider it as one of the main pillars of the Christian religion itself. The body and substance

of every religion I regard much more than any of the forms and dogmas of the particular sects. Its fall would leave a great void which nothing else of which I can form any distinct idea, might fill. I respect the Catholic hierarchy and the Presbyterian republic. But I know that the hope or the fear of establishing either of them is in these kingdoms equally chimerical, even if I preferred one or the other of them to the Establishment, which certainly I do not.

These are some of my reasons for wishing the support of the Church of Ireland as by law established. These reasons are founded as well on the absolute as on the relative situation of that kingdom. But is it because I love the Church, and the king, and the privileges of Parliament, that I am to be ready for any violence, or any injustice, or any absurdity, in the means of supporting any of these powers, or all of them together? Instead of prating about Protestant ascendencies, Protestant Parliaments ought, in my opinion, to think at last of becoming Patriot Parliaments.

The Legislature of Ireland, like all legislatures, ought to frame its laws to suit the people and the circumstances of the country, and not any longer to make it their whole business to force the nature, the temper, and the inveterate habits of a nation to a conformity to speculative systems concerning any kind of laws. Ireland has an established government, and a religion legally established, which are to be preserved. It has a people, who are to be preserved too,

and to be led by reason, principle, sentiment, and interest to acquiesce in that Government. Ireland is a country under peculiar circumstances. The people of Ireland are a very mixed people; and the quantities of the several ingredients in the mixture are very much disproportioned to each other. Are we to govern this mixed body as if it were composed of the most simple elements, comprehending the whole in one system of benevolent legislation? or are we not rather to provide for the several parts according to the various and diversified necessities of the heterogeneous nature of the mass? Would not common reason and common honesty dictate to us the policy of regulating the people in the several descriptions of which they are composed, according to the natural ranks and classes of an orderly civil society, under a common protecting sovereign, and under a form of constitution favourable at once to authority and to freedom; such as the British constitution boasts to be, and such as it is, to those who enjoy it?

You have an ecclesiastical establishment, which, though the religion of the prince, and of most of the first class of landed proprietors, is not the religion of the major part of the inhabitants, and which consequently does not answer to *them* any one purpose of a religious establishment. This is a state of things which no man in his senses can call perfectly happy. But it is the state of Ireland. Two hundred years of experiment show it to be unalterable. Many a fierce struggle has passed between the parties. The result

is—(you cannot make the people Protestants—and they cannot shake off a Protestant government.) This is what experience teaches, and what all men of sense, of all descriptions, know. To-day the question is this —(are we to make the best of this situation, which we cannot alter?) The question is—shall the condition of the body of the people be alleviated in other things, on account of their necessary suffering from their being subject to the burthens of two religious establishments, from one of which they do not partake the least, living or dying, either of instruction or of consolation; or shall it be aggravated by stripping the people thus loaded of everything, which might support and indemnify them in this state, so as to leave them naked of every sort of right, and of every name of franchise; to outlaw them from the constitution, and to cut off (perhaps) three millions of plebeian subjects, without reference to property, or any other qualification, from all connection with the popular representation of the kingdom?

As to religion, it has nothing at all to do with the proceeding. Liberty is not sacrificed to a zeal for religion; but a zeal for religion is pretended and assumed to destroy liberty. The Catholic religion is completely free. It has no establishment; but it is recognised, permitted, and, in a degree, protected by the laws. If a man is satisfied to be a slave, he may be a Papist with perfect impunity. (He may say mass, or hear it, as he pleases; but he must consider him-

self as an outlaw from the British constitution? If the constitutional liberty of the subject were not the thing aimed at, the direct reverse course would be taken. The franchise would have been permitted, and the mass exterminated. But the conscience of a man left, and a tenderness for it hypocritically pretended, is to make it a trap to catch his liberty.

So much is this the design that the violent partisans of this scheme fairly take up all the maxims and arguments, as well as the practices by which tyranny has fortified itself at all times. Trusting wholly in their strength and power (and upon this they reckon as always ready to strike wherever they wish to direct the storm), they abandon all pretext of the general good of the community. They say that if the people, under any given modification, obtain the smallest portion or particle of constitutional freedom, it will be impossible for them to hold their property. They tell us that they act only on the defensive. They inform the public of Europe that their estates are made up of forfeitures and confiscations from the natives; that, if the body of people obtain votes, any number of votes, however small, it will be a step to the choice of members of their own religion; that the House of Commons, in spite of the influence of nineteen parts in twenty of the landed interest now in their hands, will be composed in the whole or in far the major part of Papists; that this Popish House of Commons will instantly pass a law to confiscate all their estates, which it will not be in their

power to save even by entering into that Popish party themselves, because there are prior claimants to be satisfied; that as to the House of Lords, though neither Papists nor Protestants have a share in electing them, the body of the peerage will be so obliging and disinterested as to fall in with this exterminatory scheme, which is to forfeit all their estates, the largest part of the kingdom; and, to crown all, that his Majesty will give his cheerful assent to this causeless act of attainder of his innocent and faithful Protestant subjects; that they will be, or are to be left, without house or land, to the dreadful resource of living by their wits, out of which they are already frightened by the apprehension of this spoliation with which they are threatened; that, therefore, they cannot so much as listen to any arguments drawn from equity or from national or constitutional policy; the sword is at their throats; beggary and famine at their door. See what it is to have a good look-out, and to see danger at the end of a sufficiently long perspective!

This is indeed to speak plain, though to speak nothing very new. The same thing has been said in all times and in all languages. The language of tyranny has been invariable; the general good is inconsistent with my personal safety. Justice and liberty seem so alarming to these gentlemen, that they are not ashamed even to slander their own titles, to calumniate and call in doubt their right to their own estates, and to consider themselves as novel disseizors, usurpers, and intruders, rather than lose a pretext for becoming oppressors of

their fellow-citizens, whom they (not I) choose to describe themselves as having robbed.

Instead of putting themselves in this odious point of light, one would think they would wish to let Time draw his oblivious veil over the unpleasant modes by which lordships and demeans have been acquired in their's, and almost in all other countries upon earth. It might be imagined that when the sufferer (if a sufferer exist) had forgot the wrong, they would be pleased to forget it too; that they would permit the sacred name of possession to stand in the place of the melancholy and unpleasant title of grantees of confiscation, which, though firm and valid in law, surely merits the name that a great Roman jurist gave to a title at least as valid in his nation as confiscation would be either in his or in ours.—*Tristis et luctuosa successio.*

Such is the situation of every man who comes in upon the ruin of another—his succeeding, under this circumstance, is *tristis et luctuosa successio.* If it had been the fate of any gentleman to profit by the confiscation of his neighbour, one would think he would be more disposed to give him a valuable interest under him in his land; or to allow him a pension, as I understand one worthy person has done, without fear or apprehension, that his benevolence to a ruined family would be construed into a recognition of the forfeited title. The public of England the other day acted in this manner towards Lord Newburgh, a Catholic. Though the estate had been vested by law in the greatest of the public

charities, they have given him a pension from his confiscation. They have gone farther in other cases. On the last Rebellion in 1745, in Scotland, several forfeitures were incurred. They had been disposed of by Parliament to certain laudable uses. Parliament reversed the method which they had adopted in Lord Newburgh's case, and in my opinion did better; they gave the forfeited estates to the successors of the forfeiting proprietors, chargeable in part with the uses. Is this, or anything like this, asked in favour of any human creature in Ireland? It is bounty; it is charity; wise bounty and politic charity; but no man can claim it as a right. Here no such thing is claimed as right, or begged as charity. The demand has an object as distant from all considerations of this sort as any two extremes can be. The people desire the privileges inseparably annexed, since Magna Charta, to the freehold, which they have by descent, or obtain as the fruits of their industry. They call for no man's estate; they desire not to be dispossessed of their own.

But this melancholy and invidious title is a favourite (and like favourites, always of the least merit) with those who possess every other title upon earth along with it. For this purpose they revive the bitter memory of every dissension which has torn to pieces their miserable country for ages. After what has passed in 1782, one would not think that decorum, to say nothing of policy, would permit them to call up, by magic charms, the grounds, reasons, and principles of those terrible

confiscatory and exterminatory periods. They would not set men upon calling from the quiet sleep of death any Samuel, to ask him by what act of arbitrary monarchs; by what inquisitions of corrupted tribunals, and tortured jurors; by what fictitious tenures, invented to dispossess whole unoffending tribes and their chieftains! They would not conjure up the ghosts from the ruins of castles and churches, to tell for what attempt to struggle for the independence of an Irish Legislature, and to raise armies of volunteers, without regular commissions from the Crown, in support of that independence, the estates of the old Irish nobility and gentry had been confiscated. They would not wantonly call on those phantoms to tell by what English Acts of Parliament, forced upon two reluctant kings, the lands of their country were put up to a mean and scandalous auction in every goldsmith's shop in London; or chopped to pieces, and cut into rations, to pay the mercenary soldiery of a regicide usurper. They would not be so fond of titles under Cromwell, who, if he avenged an Irish rebellion against the sovereign authority of the Parliament of England, had himself rebelled against the very Parliament whose sovereignty he asserted, full as much as the Irish nation, which he was sent to subdue and confiscate, could rebel against that Parliament, or could rebel against the king, against whom both he and the Parliament which he served, and which he betrayed, had both of them rebelled.

The gentlemen who hold the language of the day

know perfectly well that the Irish in 1641 pretended at least that they did not rise against the king, nor in fact did they, whatever constructions law might put upon their act. But full surely they rebelled against the authority of the Parliament of England, and they openly professed so to do. Admitting (I have now no time to discuss the matter) the enormous and unpardonable magnitude of this their crime, they rued it in their persons, and in those of their children and their grandchildren, even to the fifth and sixth generations. Admitting, then, the enormity of this unnatural rebellion in favour of the independence of Ireland, will it follow that it must be avenged for ever? Will it follow that it must be avenged on thousands, and perhaps hundreds of thousands, of those whom they can never trace, by the labours of the most subtle metaphysician of the traduction of crimes, or the most inquisitive genealogist of proscription, to the descendant of any one concerned in that nefarious Irish rebellion against the Parliament of England?

If, however, you could find out these pedigrees of guilt, I do not think the difference would be essential. History records many things which ought to make us hate evil actions; but neither history, nor morals, nor policy, can teach us to punish innocent men on that account. What lesson does the iniquity of prevalent factions read to us? It ought to lesson us into an abhorrence of the abuse of our own power in our own day; when we hate its excesses so much in other

persons and in other times. To that school true statesmen ought to be satisfied to leave mankind. They ought not to call from the dead all the discussions and litigations which formerly inflamed the furious factions which had torn their country to pieces; they ought not to rake into the hideous and abominable things which were done in the turbulent fury of an injured, robbed, and persecuted people, and which were afterwards cruelly revenged in the execution, and as outrageously and shamefully exaggerated in the representation, in order, an hundred and fifty years after, to find some colour for justifying them in the eternal proscription and civil excommunication of a whole people.

Let us come to a later period of those confiscations, with the memory of which the gentlemen, who triumph in the Acts of 1782, are so much delighted. The Irish again rebelled against English Parliament in 1688, and the English Parliament again put up to sale the greatest part of their estates. I do not presume to defend the Irish for this rebellion; nor to blame the English Parliament for this confiscation. The Irish, it is true, did not revolt from King James's power. He threw himself upon their fidelity, and they supported him to the best of their feeble power. Be the crime of that obstinate adherence to an abdicated sovereign against a prince whom the Parliaments of Ireland and Scotland had recognised what it may, I do not mean to justify this rebellion more than the former. It might,

however, admit some palliation in them. In generous minds, some small degree of compassion might be excited for an error, where they were misled, as Cicero says to a conqueror, *quâdam specie et similitudine pacis*, not without a mistaken appearance of duty, and for which the guilty have suffered by exile abroad, and slavery at home, to the extent of their folly or their offence. The best calculators compute that Ireland lost 200,000 of her inhabitants in that struggle. If the principle of the English and Scottish resistance at the Revolution is to be justified (as sure I am it is), the submission of Ireland must be somewhat extenuated. For if the Irish resisted King William, they resisted him on the very same principle that the English and Scotch resisted King James. The Irish Catholics must have been the very worst and the most truly unnatural of rebels, if they had not supported a prince whom they had seen attacked, not for any designs against *their* religion, or *their* liberties, but for an extreme partiality for their sect; and who, far from trespassing on *their* liberties and properties, secured both them and the independence of their country in much the same manner that we have seen the same things done at the period of 1782—I trust the last Revolution in Ireland.

That the Irish Parliament of King James did in some particulars, though feebly, imitate the rigour which had been used towards the Irish, is true enough. Blameable enough they were for what they had done,

though under the greatest possible provocation. (I shall never praise confiscations or counter-confiscations as long as I live.) When they happen by necessity, I shall think the necessity lamentable and odious. I shall think that anything done under it ought not to pass into precedent, or to be adopted by choice, or to produce any of those shocking retaliations which never suffer dissensions to subside. Least of all would I fix the transitory spirit of civil fury by perpetuating and methodising it in tyrannic government. If it were permitted to argue with power, might one not ask these gentlemen whether it would not be more natural, instead of wantonly mooting these questions concerning their property as if it were an exercise in law, to found it on the solid rock of prescription?—the soundest, the most general, and the most recognised title between man and man that is known in municipal or in public jurisprudence—a title in which not arbitrary institutions but the eternal order of things gives judgment—a title which is not the creature but the master of positive law—a title which, though not fixed in its term, is rooted in its principle, in the law of nature itself, and is indeed the original ground of all known property; for all property in soil will always be traced back to that source, and will rest there. The miserable natives of Ireland, who ninety-nine in a hundred are tormented with quite other cares, and are bowed down to labour for the bread of the hour, are not, as gentlemen pretend, plodding with antiquaries for titles of centuries

ago to the estates of the great Lords and Squires for whom they labour. But if they were thinking of the titles which gentlemen labour to beat into their heads, where can they bottom their own claims but in a presumption and a proof that these lands had at some time been possessed by their ancestors? These gentlemen—for they have lawyers amongst them—know as well as I that in England we have had always a prescription or limitation, as all nations have, against each other. The Crown was excepted; but that exception is destroyed, and we have lately established a sixty years' possession as against the Crown. All titles terminate in prescription, in which (differently from Time in the fabulous instances) the son devours the father, and the last prescription eats up all the former.

. . . . . .

XIV.

A LETTER on the AFFAIRS of IRELAND, written in the year 1797.[1]

DEAR SIR,

IN the reduced state of body, and in the dejected state of mind, in which I find myself at this very advanced period of my life, it is a great consolation to me to know that a cause I ever had so very near my heart is taken up by a man of your activity and talents.

It is very true that your late friend, my ever dear and honoured son, was in the highest degree solicitous about the final event of a business which he also had pursued for a long time with infinite zeal and no small degree of success. It was not above half-an-hour before he left me for ever that he spoke with considerable earnestness on this very subject. If I had needed any incentives to do my best for freeing the body of

[1] The name of the person to whom this letter was addressed does not appear on the manuscript, nor has the letter been found to which it was written as an answer. The letter was dictated from Mr. Burke's couch at Bath, to which place he had gone by the advice of his physicians in March 1797. His health was now rapidly declining; the vigour of his mind remained unimpaired.

my country from the grievances under which they labour, this alone would certainly call forth all my endeavours.

The person who succeeded to the Government of Ireland about the time of that afflicting event had been all along of my sentiments and yours upon this subject; and far from needing to be stimulated by me, that incomparable person and those in whom he strictly confided even went before me in their resolution to pursue the great end of Government, the satisfaction and concord of the people, with whose welfare they were charged. I cannot bear to think on the causes by which this great plan of policy, so manifestly beneficial to both kingdoms, has been defeated.

Your mistake with regard to me lies in supposing that I did not, when his removal was in agitation, strongly and personally represent to several of his Majesty's Ministers, to whom I could have the most ready access, the true state of Ireland, and the mischiefs which sooner or later must arise from subjecting the mass of the people to the capricious and interested domination of an exceeding small faction and its dependencies.

That representation was made the last time, or very nearly the last time, that I have ever had the honour of seeing those Ministers. I am so far from having any credit with them on this or any other public matters, that I have reason to be certain if it were known that any person in office in Ireland, from the highest to the

lowest, were influenced by my opinions and disposed to act upon them, such an one would be instantly turned out of his employment. You have formed to my person a flattering, yet in truth a very erroneous opinion of my power with those who direct the public measures. I never have been directly or indirectly consulted about anything that is done. The judgment of the eminent and able persons who conduct public affiairs is undoubtedly superior to mine, but self-partiality induces almost every man to defer something to his own. Nothing is more notorious than that I have the misfortune of thinking that no one capital measure relative to political arrangements, and still less that a new military plan for the defence of either kingdom in this arduous war, has been taken upon any other principle than such as must conduct us to inevitable ruin.

In the state of my mind, so discordant with the tone of Ministers, and still more discordant with the tone of Opposition, you may judge what degree of weight I am likely to have with either of the parties who divide this kingdom; even though I were endowed with strength of body, or were possessed of any active situation in the Government, which might give success to my endeavours. But the fact is, since the day of my unspeakable calamity, except in the attentions of a very few old and compassionate friends, I am totally out of all social intercourse. My health has gone down very rapidly; and I have been brought hither with very faint hopes of life, and enfeebled to such a degree, as those who had

known me some time ago, could scarcely think credible. Since I came hither, my sufferings have been greatly aggravated, and my little strength still further reduced; so that, though I am told the symptoms of my disorder begin to carry a more favourable aspect, I pass the far larger part of the twenty-four hours, indeed almost the whole, either in my bed, or lying upon the couch, from which I dictate this. Had you been apprised of this circumstance, you could not have expected anything, as you seem to do, from my active exertions. I could do nothing, if I was still stronger, not even "*Si meus adforet Hector.*"

There is no hope for the body of the people of Ireland, as long as those who are in power with you shall make it the great object of their policy to propagate an opinion on this side of the water, that the mass of their countrymen are not to be trusted by their Government; and that the only hold which England has upon Ireland consists in preserving a certain very small number of gentlemen in full possession of a monopoly of that kingdom. This system has disgusted many others besides Catholics and Dissenters.

As to those who on your side are in the Opposition to Government, they are composed of persons, several of whom I love and revere. They have been irritated by a treatment too much for the ordinary patience of mankind to bear into the adoption of schemes, which, however *argumentatively* specious, would go *practically* to the inevitable ruin of the kingdom. The Opposition

always connects the emancipation of the Catholics with these schemes of reformation; indeed it makes the former only a member of the latter project. The gentlemen who enforce that opposition, are, in my opinion, playing the game of their adversaries with all their might; and there is no third party in Ireland (nor in England neither) to separate things that are in themselves so distinct, I mean the admitting people to the benefits of the constitution, and the change in the form of the constitution itself.

As every one knows, that a great part of the constitution of the Irish House of Commons was formed about the year 1614, expressly for bringing that House into a state of dependence; and that the new representative was at that time seated and installed by force and violence; nothing can be more impolitic than for those who wish the House to stand on its present basis (as for one, I most sincerely do), to make it appear to have kept too much the principle of its first institution, and to continue to be as little a virtual, as it is an actual representative of the Commons. It is the *degeneracy* of such an institution, *so vicious in its principle*, that is to be wished for. If men have the real benefit of a *sympathetic* representation, none but those who are heated and intoxicated with theory will look for any other. This sort of representation, my dear sir, must wholly depend, not on the force with which it is upheld, but upon the *prudence* of those who have influence upon it. Indeed, without some such

prudence in the use of authority, I do not know, at least in the present time, how any power can long continue.)

If it be true that both parties are carrying things to extremities in different ways, the object which you and I have in common, that is to say, the union and concord of our country, *on the basis of the actual representation*, without risking those evils which any change in the form of our Legislature must inevitably bring on, can never be obtained. On the part of the Catholics (that is to say, of the body of the people of the kingdom) it is a terrible alternative, either to submit to the yoke of declared and insulting enemies; or to seek a remedy in plunging themselves into the horrors and crimes of that Jacobinism, which unfortunately is not disagreeable to the principles and inclinations of, I am afraid, the majority of what we call the Protestants of Ireland. The Protestant part of that kingdom is represented by the Government itself to be, by whole counties, in nothing less than open rebellion. I am sure that it is everywhere teeming with dangerous conspiracy.

I believe it will be found that though the principles of the Catholics, and the incessant endeavours of their clergy, have kept them from being generally infected with the systems of this time, yet, whenever their situation brings them nearer into contact with the Jacobin Protestants, they are more or less infected with their doctrines.

It is a matter for melancholy reflection; but I am fully convinced that many persons in Ireland would be glad that the Catholics should become more and more infected with the Jacobin madness, in order to furnish new arguments for fortifying them in their monopoly. On any other ground it is impossible to account for the late language of your men in power. If statesmen (let me suppose for argument), upon the most solid political principles, conceive themselves obliged to resist the wishes of the far more numerous, and, as things stand, not the worst part of the community, one would think they would naturally put their refusal as much as possible upon temporary grounds; and that they would act towards them in the most conciliatory manner, and would talk to them in the most gentle and soothing language; for refusal in itself is not a very gracious thing, and, unfortunately, men are very quickly irritated out of their principles. Nothing is more discouraging to the loyalty of any description of men than to represent to them that their humiliation and subjection make a principal part in the fundamental and invariable policy, which regards the conjunction of these two kingdoms. This is not the way to give them a warm interest in that conjunction.

My poor opinion is, that the closest connection between Great Britain and Ireland is essential to the wellbeing, I had almost said to the very being of the two kingdoms. For that purpose I humbly conceive, that the whole of the superior, and what I should call

imperial politics ought to have its residence here; and that Ireland, locally, civilly, and commercially independent, ought politically to look up to Great Britain in all matters of peace or of war; in all those points to be guided by her: and, in a word, with her to live and to die. At bottom, Ireland has no other choice—I mean no other rational choice.

I think, indeed, that Great Britain would be ruined by the separation of Ireland; but as there are degrees even in ruin, it would fall the most heavily on Ireland. By such a separation Ireland would be the most completely undone country in the world, the most wretched, the most distracted, and, in the end, the most desolate part of the habitable globe. Little do many people in Ireland consider how much of its prosperity has been owing to, and still depends upon, its intimate connection with this kingdom. But, more sensible of this great truth than perhaps any other man, I have never conceived, or can conceive, that the connection is strengthened by making the major part of the inhabitants of your country believe that their ease, and their satisfaction, and their equalisation with the rest of their fellow-subjects of Ireland, are things adverse to the principles of that connection; or that their subjection to a small monopolising junto, composed of one of the smallest of their own internal factions, is the very condition upon which the harmony of the two kingdoms essentially depends. I was sorry to hear that this principle, or something not unlike it, was publicly and fully avowed

by persons of great rank and authority in the House of Lords in Ireland.

As to a participation on the part of the Catholics in the privileges and capacities which are withheld, without meaning wholly to depreciate their importance, if I had the honour of being an Irish Catholic I should be content to expect satisfaction upon that subject with patience, until the minds of my adversaries, few but powerful, were come to a proper temper; because if the Catholics did enjoy without fraud, chicane, or partiality, some fair portion of those advantages which the law, even as now the law is, leaves open to them; and if the rod were not shaken over them at every turn, their present condition would be tolerable—as compared with their former condition it would be happy. But the most favourable laws can do very little towards the happiness of a people when the disposition of the ruling power is adverse to them. Men do not live upon blotted paper. The favourable or the hostile mind of the ruling power is of far more importance to mankind, for good or evil, than the black letter of any statute. Late Acts of Parliament, whilst they fixed at least a temporary bar to the hopes and progress of the larger description of the nation, opened to them certain subordinate objects of equality; but it is impossible that the people should imagine that any fair measure of advantage is intended to them, when they hear the laws by which they were admitted to this limited qualification publicly reprobated as excessive and in-

considerate. They must think that there is a hankering after the old penal and persecuting code. Their alarm must be great when that declaration is made by a person in very high and important office in the House of Commons, and as the very first specimen and auspice of a new Government.

All this is very unfortunate. I have the honour of an old acquaintance, and entertain, in common with you, a very high esteem for the few English persons who are concerned in the Government of Ireland; but I am not ignorant of the relation these transitory ministers bear to the more settled Irish part of your Administration. It is a delicate topic, upon which I wish to say but little; though my reflections upon it are many and serious. There is a great cry against English influence. I am quite sure that it is Irish influence that dreads the English habits.

Great disorders have long prevailed in Ireland. It is not long since that the Catholics were the suffering party from those disorders. I am sure they were not protected as the case required. Their sufferings became a matter of discussion in Parliament. It produced the most infuriated declamation against them that I have ever read. An inquiry was moved into the facts. The declamation was at least tolerated, if not approved. The inquiry was absolutely rejected. In that case what is left for those who are abandoned by Government but to join with the persons who are capable of injuring them or protecting them, as they

oppose or concur in their designs? This will produce a very fatal kind of union amongst the people, but it is a union which an unequal administration of justice tends necessarily to produce.

If anything could astonish one at this time, it is the war that the rulers in Ireland think it proper to carry on against the person whom they call the pope, and against all his adherents, whenever they think they have the power of manifesting their hostility. Without in the least derogating from the talents of your theological politicians, or from the military abilities of your commanders (who act on the same principles) in Ireland, and without derogating from the zeal of either, it appears to me that the Protestant Directory of Paris, as statesmen, and the Protestant hero, Bonaparte, as a general, have done more to destroy the said pope and all his adherents, in all their capacities, than the junto in Ireland have ever been able to effect. You must submit your *fasces* to theirs, and at best be contented to follow with songs of gratulation, or invectives, according to your humour, the triumphal car of those great conquerors. Had that true Protestant *Hoche*, with an army not infected with the slightest tincture of Popery, made good his landing in Ireland, he would have saved you from a great deal of the trouble which is taken to keep under a description of your fellow-citizens, obnoxious to you from their religion. It would not have a month's existence, supposing his success. This is the alliance which, under the appearance of

hostility, we act as if we wished to promote. All is well, provided we are safe from Popery.

It was not necessary for you, my dear sir, to explain yourself to *me* (in justification of your good wishes to your fellow-citizens), concerning your total alienation from the principles of the Catholics. I am more concerned in what we agree than in what we differ. You know the impossibility of our forming any judgment upon the opinions, religious, moral, or political, of those who in the largest sense are called Protestants; at least as these opinions and tenets form a qualification for holding any civil, judicial, military, or even ecclesiastical situation. I have no doubt of the orthodox opinion of many, both of the clergy and laity, professing the established religion in Ireland, and of many, even amongst the dissenters, relative to the great points of the Christian faith: but that orthodoxy concerns them only as *individuals*. As a *qualification* for employment, we all know that in Ireland it is not necessary that they should profess any religion at all; so that the war that we make is upon certain theological tenets, about which scholastic disputes are carried on *æquo Marte* by controvertists on their side, as able and as learned, and perhaps as well intentioned, as those are who fight the battle on the other part. To them I would leave those controversies. I would turn my mind to what is more within its competence, and has been more my study (though for a man of the world I have thought of those things)—I mean the moral, civil, and political good of

the countries we belong to, and in which God has appointed your station and mine. Let every man be as pious as he pleases, and in the way that he pleases; but it is agreeable neither to piety nor to policy to give exclusively all manner of civil privileges and advantages to a *negative* religion,—such is the Protestant without a certain creed—and at the same time to deny those privileges to men whom we know to agree to an iota in every one *positive* doctrine, which all of us who profess the religion authoritatively taught in England hold ourselves, according to our faculties, bound to believe. The Catholics of Ireland (as I have said) have the whole of our *positive* religion; our difference is only a negation of certain tenets of theirs. If we strip ourselves of *that* part of Catholicism we abjure Christianity. If we drive them from that holding, without engaging them in some other positive religion (which you know by our qualifying laws we do not), what do we better than to hold out to them terrors on the one side, and bounties on the other, in favour of that which, for anything we know to the contrary, may be pure Atheism?

You are well aware that when a man renounces the Roman religion there is no civil inconvenience or incapacity whatsoever which shall hinder him from joining any new or old sect of Dissenters, or of forming a sect of his own invention upon the most antichristian principles. Let Mr. Thomas Paine obtain a pardon (as on change of Ministry he may), there is nothing to hinder him from setting up a church of his own in the

very midst of you. He is a natural-born British subject. His French citizenship does not disqualify him, at least upon a peace. This Protestant Apostle is as much above all suspicion of Popery as the greatest and most zealous of your Sanhedrim in Ireland can possibly be. On purchasing a qualification (which his friends of the Directory are not so poor as to be unable to effect) he may sit in Parliament; and there is no doubt that there is not one of your tests against Popery that he will not take as fairly and as much *ex animo* as the best of your zealous statesmen. I push this point no farther, and only adduce this example (a pretty strong one, and fully in point) to show what I take to be the madness and folly of driving men, under the existing circumstances, from any *positive* religion whatever into the irreligion of the times and its sure concomitant principles of anarchy.

When religion is brought into a question of civil and political arrangement, it must be considered more politically than theologically, at least by us, who are nothing more than mere laymen. In that light the case of the Catholics of Ireland is peculiarly hard, whether they be laity or clergy. If any of them take part, like the gentleman you mention, with some of the most accredited Protestants of the country, in projects, which cannot be more abhorrent to your nature and disposition than they are to mine; in that case, however few these Catholic factions, who are united with factious Protestants, may be—(and very few they are now, whatever

shortly they may become)—on their account the whole body is considered as of suspected fidelity to the Crown, and as wholly undeserving of its favour. But if, on the contrary, in those districts of the kingdom where their numbers are the greatest, where they make, in a manner, the whole body of the people (as, out of cities, in three-fourths of the kingdom they do), these Catholics show every mark of loyalty and zeal in support of the Government, which at best looks on them with an evil eye; then their very loyalty is turned against their claims. They are represented as a contented and happy people; and that it is unnecessary to do anything more in their favour. Thus the factious disposition of a few among the Catholics, and the loyalty of the whole mass, are equally assigned as reasons for not putting them on a *par* with those Protestants, who are asserted by the Government itself, which frowns upon Papists, to be in a state of nothing short of actual rebellion, and in a strong disposition to make common cause with the worst foreign enemy that these countries have ever had to deal with. What in the end can come of all this?

As to the Irish Catholic Clergy, their condition is likewise most critical: if they endeavour by their influence to keep a dissatisfied laity in quiet, they are in danger of losing the little credit they possess, by being considered as the instruments of a Government adverse to the civil interests of their flock. If they let things take their course, they will be represented as colluding with sedition, or at least tacitly encouraging it. If they

remonstrate against persecution, they propagate rebellion. Whilst Government publicly avows hostility to that people, as a part of a regular system, there is no road they can take, which does not lead to their ruin.

If nothing can be done on your side of the water, I promise you that nothing will be done here. Whether in reality or only in appearance, I cannot positively determine; but you will be left to yourselves by the ruling powers here. It is thus ostensibly and above-board; and in part, I believe, the disposition is real. As to the people at large in this country, I am sure they have no disposition to intermeddle in your affairs. They mean you no ill whatever; and they are too ignorant of the state of your affairs to be able to do you any good. Whatever opinion they have on your subject is very faint and indistinct; and if there is anything like a formed notion, even that amounts to no more than a sort of humming, that remains on their ears, of the burthen of the old song about Popery. Poor souls, they are to be pitied, who think of nothing but dangers long passed by; and but little of the perils that actually surround them.

I have been long, but it is almost a necessary consequence of dictating, and that by snatches, as a relief from pain gives me the means of expressing my sentiments. They can have little weight as coming from me; and I have not power enough of mind or body to bring them out with their natural force. But I do not wish to have it concealed that I am of the same opinion to my last breath, which I entertained when my faculties

were at the best; and I have not held back from men in power in this kingdom, to whom I have very good wishes, any part of my sentiments on this melancholy subject, so long as I had means of access to persons of their consideration.

I have the honour to be, etc.

PRIVATE LETTERS

LETTER to the DUKE of PORTLAND.

MY DEAR LORD,

YOUR great goodness and condescension have always encouraged me to take great liberties with you. I have done so with the less scruple, as your own excellent understanding will always enable you to improve the imperfect hints that others may throw out to you, or to control them where they are extravagant and ill-conceived.

In my present state of mind, and what is likely to be long my state of mind, nothing could induce me to intrude any opinion of mine, except I thought the matter was of great importance to your and Lord Fitzwilliam's reputation.

I wish everything you do to be not only right, but so splendidly right, that faction and malice may not be able to carp at it. It will not do for you to be vulgar, commonplace ministers.

I have already ventured, through Mr. Windham, to

submit to your better judgment, and with my reasons in writing, my poor thoughts upon an event then likely to take place,—the death of Hely Hutchinson. That event, I find, has happened. He held two important offices, upon the proper or improper disposal of which a great deal will depend;—the provostship, and the Secretaryship of State. The former of these it was a shameful job to give him; but it will be even more so, after all the consequences which attended it, again to break through the statutes without a reason as strong as that which gave ground to the statute itself, which most assuredly does not exist. On the contrary, no choice can exist, out of the University, so good as that which is furnished within its own walls. Three or four of the senior Fellows are men of the first order;—the others may be so also, for anything I hear to the contrary. I have not the honour of what may be called an acquaintance with any of them. Dr. Murray,[1] the vice-provost, who has filled that place with the highest honour, and stands therefore next in designation for the provostship, I do not recollect ever to have seen. I should be sorry, when I was recommending to ministers not to give way to their own partialities, to insinuate into them any partiality of mine.

This office ought not to be considered as a thing in the mass of promiscuous patronage, and which may as well be given to one man as to another.

[1] Dr. Murray was appointed Provost during Lord Fitzwilliam's Lieutenancy, in January 1795.

I hear that the Bishop of Cloyne[1] is to be recommended to it. The Irish bishoprics are all valuable things; this of Cloyne is amongst the best of those valuable things, and the road to the highest, by translation, is open to him; and nothing but an odious, and, at this time, a portentous avarice and rapacity could induce any of the Episcopal bench to seize upon this corporate office, the undoubted right of others, and which is fitted to be exercised by one who is practised in its particular corporate duties. If a check is not put upon them, they will be ruined by this mean, secular spirit.

Your Grace holds a most honourable office,—that of chancellor of one of our Universities. Your Grace's showing a manly and inflexible firmness in defence of the legal and equitable rights of another, against the unwarrantable use of a dispensing power, will do you infinite honour. It will be, I know, highly pleasing to the University of Dublin, which, about a twelvemonth ago, sent over a deputation to remonstrate against an unstatutable arrangement proposed for the succession to the provostship. They justly considered it as a gross and unmerited affront (as it was) to their body.

Your Grace, by being where you are, is abundantly concerned that Government, at all times, but eminently at this time, ought to be kept in awe and reverence from opinion; and by the manner in which public

[1] Dr. Bennet, promoted by the Earl of Westmorland to the see of Cork and Ross in 1790, and translated by him to that of Cloyne in 1794.

trusts are bestowed; and not to leave obedience to be enforced by the pillory, the gallows, and the transport-vessel. No one thing is just now more necessary than the education of youth; the least suspicion of any part of it being converted into a job will ruin all.

As to Mr. Hutchinson's other office, your Grace will pardon me a suggestion on the subject. As the first ought to be kept out of the line of patronage, this of the office of secretaryship ought (always supposing common qualification) to be kept strictly within it. Whilst it was a sinecure pension, it might be given on the principle of any other pension, during life, or as Government thought fit; though, in my opinion, infinite caution ought to be used in giving anything in Ireland for life. But now, I hear the office is in a considerable degree effective, and may be made the means of great embarrassment to Government. I hope your Grace will stand in the gap, and not suffer the present Lord-Lieutenant to job it out of the hands of his successor. If great care is not used, Lord Fitzwilliam will find himself invested on every side. English Government, if they are suffered to go on there as they have gone on, will not be left even the miserable shadow of authority which it now seems to possess. God bless you and guide you; everything appears to me, in this season, to be serious and alarming in the highest degree. Office, to which men like you can only be called by an imperious duty, cannot afford to be conducted, as formerly it might, with impunity, by fancy, liking, or momentary expediency.

Again excuse the liberty of zeal and affection. I am as a man dead; and dead men, in their written opinions, are heard with patience. I have now no one earthly interest of my own. I have no other way than this of showing my gratitude for your long-continued kindness to me and to my poor brother. Alas! he and my son are gone, and can no longer call for the protection of any mortal.

I am ever, with the most affectionate and cordial attachment to your person, your honour, and your best interests,—My dear Lord, your Grace's most sincere, but most unhappy friend,

EDM. BURKE.

September 14, 1794.

LETTER to the REV. DR. HUSSEY.

MY DEAR SIR,

I HAVE received your two letters—the first in answer to mine about Hylan;[1] the second, chiefly employed in the account of the deserved confidence which the Catholics of Ireland, and most of the other descriptions in our country, repose in Earl Fitzwilliam. I thank you for both of them, as I do for all the other marks I have received of your good opinion and friendship.

I must always be proud of the partiality you have

[1] A Catholic soldier who had been ill-treated. See p. 426.

shown to me, and to him who was dearer to me than I am to myself. I am no flatterer, though to commend with justice is, I hope, more agreeable to my nature than with the same justice to censure. However, that must be done sometimes. I have always loved your public spirit, your regard to your country, your attachment to its Government, your singular disinterestedness, and that very rare union you have made of the enlightened statesman with the ecclesiastic. I once spoke my sentiments very freely upon that subject to Mr. Pitt. From what had come to his own knowledge he did not seem at all to dissent from my notions, though his arrangements did not permit him at that time to make that use of your services which I proposed. Wherever you are you will be useful. I am sure you are so in Ireland. I am charmed with what you tell me of the alienation of the Catholics from the grand evil of our time, and their resolution to resist with all their might the attempts of Jacobinism from without and from within. I am more rejoiced at this, as few things have been left undone by their enemies to irritate them into the frenzy of that malignant fever. I am confident that the wisdom, the temper, and the firm magnanimity of Lord Fitzwilliam, will prevent their ever being provoked or seduced to their own or the general ruin.

You tell me that some of the old gentry murmur at your having been at all at the Castle, though you have never been at levee or drawing-room of the Lord Lieu-

tenant or the Secretary, and never went to the Castle but when you were sent for. I trust that neither the Government nor you will be in the smallest degree affected by the creaking which some of the old worm-eaten furniture makes at its removal. But if (which I am far from thinking) any of the new household stuff should make the same noise in warping by its unseasoned greenness, which the other does in falling to pieces by its corruption, they may be assured that this fermentable sap portends the dry rot at no very remote distance. The being of Government depends upon keeping the Catholics from a mischievous presumption, and from a mean depression. No man is more convinced than you are that they and public order have a common cause. A licentious popular arrogance would, along with their credit and happiness, subvert the foundations of that order. On the other hand, if you lose dignity and courage, you lose the means of preserving that order and everything else. The advances you have hitherto made have been wholly owing to your having preserved that medium, which is only to be found in a calm and temperate firmness,—the remotest thing in the world from that false and adulterate moderation, which is nothing else but a mode of delivering deluded men, without a struggle, to the violence and intemperance of their enemies.

Above all things, take care that, without being obtrusive (which is meanness in another mode) nothing should carry the appearance of skulking, or of being

ashamed of your cause. If any one is ashamed of you, or afraid of your contact, it is clear that you can derive no essential service from such a person. The leading Catholics will be polite, attentive, forbearing, humble, and to a degree even submissive, to the ascendency, particularly to every man in office and in Parliament. But I have one favour to ask of them, which I hope they will grant to my tried attachment, which is, that *they will be true to themselves*, and that they will not pass by in silence any one act of outrage, oppression, and violence that they may suffer, without a complaint and a proceeding suitable to the nature of the wrong.

If Lord Fitzwilliam was to live for half a century, and to continue in station as long as he lived, I should not pray to God for a greater security to you for everything that you hold dear; for in that time his virtues (the greatest and unmixed that I have known in man) would bring the leading men of the nation into habits of moderation, lenity, equity, and justice, which the practice of some hundreds of years, and the narrow hard-heartedness of a monopoly, have in a manner banished from the minds of too many of them. For it is plain that the late change in the laws has not made any alteration in their tempers, except that of aggravating their habitual pride by resentment and vexation. They have resolved to make one among the many unhappy discoveries of our times. It is this—that neither the laws nor the dispositions of the chief executive magistrate are able to give security to the people when-

ever certain leading men in the country and in office are against them. They have actually made the discovery; and a dreadful one it is for things, laws, and subjects. This is what makes all ideas of *ascendency* in particular factions, whether distinguished by party-names taken from theology or from politics, so mischievous as they have been. Wherever such factions predominate in such a manner that they come to link (which, without loss of time, they are sure to do) a pecuniary and personal interest with the licentiousness of a party domination, nothing can secure those that are under it. If this was not clear enough upon a consideration of the nature of things and the nature of men, the late proceedings in Ireland subsequent to the repeal of the penal laws would leave no doubt of it. For (besides not suffering individual Catholics to derive the smallest benefit from the capacities which the laws had granted to them) a more fierce, insolent, and contumelious persecution had not (except in the time between '61 and '66) been carried on against them during the long period of my memory. This religious persecution, like most others, has been carried on under the pretext of their being bad subjects and disaffected to the Government. I think it very possible that to a degree the ascendants were sincere. The understanding is soon debauched over to the passions; and our opinions very easily follow our wishes. When we are once ill-inclined to any men, or set of men, we readily believe any evil of him or them that is inconvenient to

our hostile designs. Besides, in that they have another excuse. Knowing and feeling that they are themselves attached to the cause of Government only on account of the profit they derive from their connection with it, it cannot enter into their conceptions how any man can be other than a *rebel* who is not brought into an obedience to law and authority. They are excusable, and may do the worst of things without being the worst of men. But it is not the less, but the more necessary that you should guard against such implacable and unprincipled enemies by an unremitting vigilance and a severe distrust. In the same manner that you never give the smallest credit to your enemies, in that proportion you are to cherish and support your real friends who were such at the time of trial; and indeed to wish well to all such as, without malice, went with the fashion and the crowd, but have since shown gentle and placable dispositions. Well, to know your friends and your enemies is almost the whole history of political prudence. This brings me to the business of Hylan, on occasion of which I took the liberty of opening my correspondence with you. I refer you to the letter I wrote to you on that occasion. I wrote it in the first emotions which that cruel and infamous affair produced in my mind, and I have not altered my opinions in reflecting on the subject. In my poor opinion, the Catholic committee is bound in honour, in duty, and in common sense (if that affair is such as I imagine it to be), not to suffer a veil to be thrown over

it, or to compromise it in the smallest degree. You mention that more noise would have been made about it if it had not been from respect to Lord F. If this business had been done by his Excellency's orders, or under his countenance, to be sure, to hush it up, however improper, would be to show respect to him. But as this was not the case, I do not feel how it can be to honour any Government to suppose it concerned in the impunity of oppression. Were I in that place, I should feel myself turned out of my situation the moment I was deprived of the power of being just and of protecting the people under my care from the tumult of the multitude and the insolence of the rich and powerful; for, in the name of God, for what else are governors and governments appointed? I am (you will believe, whatever others may) beyond all men, perhaps, a friend to a lenient course; but my lenities are not for pride, cruelty, and oppression, but for those who are likely to suffer from these vices in action under royal or aristocratic or democratic power. I would not put my melilot plaister on the back of the hangman, but on the skin of the person who has been torn by his whips. Your departed friend[1] was a wise person, of a penetrating and sagacious mind, and one who, by reading and observation, had made himself perfect master of the state of Ireland from the beginning of the sixteenth century to this hour. I wish you to look at the letter of his which he wrote when he was last in Cork, in

[1] Richard Burke junior.

answer to an insidious paper circulated, and for some small time with effect, to delude the Irish Catholics. It is printed by Byrne, in Dublin. The spirit of that letter I wish to guide and direct the body of our country in all things. He was your true friend. He was not your friend because he was your law-counsel and active agent; but he was your counsel and agent because he was your friend. Think it is he that speaks to you from the church of Beaconsfield, in which you, and the Duke of Portland, and Windham, and the Comte de Coigny, and O'Connor, and the Earl of Inchiquin, and Adey, laid the purest body that ever was informed by a rational soul. *He* would say to you, "Do not stifle the affair of Hylan! Pursue it with Government, with the courts of justice, with Parliament, with the public!" My dear sir, I am tired and sadly sunk. I will write to you more fully on the other subject of your letter to-morrow. Adieu!—Ever affectionately yours, EDMUND BURKE.

BEACONSFIELD, *February* 4, 1795.

LETTER to REV. DR. HUSSEY.

MY DEAR SIR,

I DON'T know exactly why I am so unwilling to write by the post. I have little to say that might not be known to the world; at the same time, there is something unpleasant in talking the confidential language of

friendship in the public theatre. It is still worse to put it into the power of any one to make unfaithful representations of it, or to make it the subject of malicious comments. I thank you for your letter; it is full of that good sense and good temper, as well as of that fortitude, which are natural to you. Since persons of so much greater authority than I am, and of so much better judgment, are of opinion you ought to stay, it was clearly right for you to remain at all risks. Indeed, if it could be done with tolerable safety, I wished you to watch over the cradle of those seminaries on which the future weal or woe of Ireland essentially depends. For you, I dread the revolutionary tribunal of Drogheda. For the country, if some proper mode of education is not adopted, I tremble for the spread of Atheism amongst the Catholics. I do not like the style of the meeting[1] in Francis Street. The tone was wholly Jacobinical. In Parliament, the language of your friends (one only excepted) was what it ought to be. But that one speech, though full of fire and animation, was not warmed with the fire of heaven. I am sorry for it. I have seen that gentleman but once. He is certainly a man of parts; but one who has dealt too much in the philosophy of France. Justice, prudence, tenderness, moderation, and Christian charity, ought to become the measures of tolerance; and not a cold apathy, or indeed, rather a savage hatred, to all religion,

[1] The assembly of the Roman Catholics held April 9, 1795, in Francis Street chapel.

and an avowed contempt of all those points on which we differ and on those about which we agree. If what was said in Francis Street was in the first heat it might be excused. They were given to understand that a change of administration, short only of a revolution in violence, was made, only on account of a disposition in a Lord-Lieutenant to favour Catholics. Many provoking circumstances attended the business; not the least of them was, that they saw themselves delivered over to their enemies, on no other apparent ground of merit than that they were such. All this is very true; but under every provocation they ought not to be irritated by their enemies out of their principles and out of their senses. The language of the day went plainly to a separation of the two kingdoms. God forbid that anything like it should ever happen! They would both be ruined by it; but Ireland would suffer most and first. The thing, however, is impossible. Those who should attempt that improbability would be undone. If ever the arms, which, indirectly, these orators seem to menace, were to be taken up, surely the threat of such a measure is not wise, as it could add nothing to their strength, but would give every possible advantage to their enemies. It is a foolish language, adopted from the United Irishmen, that their grievances originate from England. The direct contrary. It is an ascendency which some of their own factions have obtained here that has hurt the Catholics with this Government. It is not as an English Government that Ministers act

in that manner, but as assisting a party in Ireland. When they talk of dissolving themselves as a Catholic body, and mixing their grievances with those of their country, all I have to say is, that they lose their own importance as a body by this amalgamation; and they sink real matters of complaint in those which are factious and imaginary. For, in the name of God, what grievance has Ireland, as Ireland, to complain of with regard to Great Britain; unless the protection of the most powerful country upon earth—giving all her privileges, without exception, in common to Ireland, and reserving to herself only the painful pre-eminence of tenfold burdens, be a matter of complaint. The subject, as a subject, is as free in Ireland as he is in England. As a member of the empire, an Irishman has every privilege of a natural-born Englishman, in every part of it, in every occupation, and in every branch of commerce. No monopoly is established against him anywhere; and the great staple manufacture of Ireland is not only not prohibited, not only not discouraged, but it is privileged in a manner that has no example. The provision trade is the same; nor does Ireland, on her part, take a single article from England but what she has with more advantage than she could have it from any nation upon earth. I say nothing of the immense advantage she derives from the use of the English capital. In what country upon earth is it that a quantity of linens, the moment they are lodged in the warehouse, and before the sale, would entitle the Irish

merchant or manufacturer to draw bills on the terms, and at the time, in which this is done by the warehouseman on London? Ireland, therefore, as Ireland, whether it be taken civilly, constitutionally, or commercially, suffers no grievance. The Catholics, as Catholics, do; and what can be got by joining their real complaint to a complaint which is fictitious, but to make the whole pass for fiction and groundless pretence? I am not a man for construing with too much rigour the expressions of men under a sense of ill-usage. I know that much is to be given to passion; and I hope I am more disposed to accuse the person who provokes another to anger, than the person who gives way to natural feelings in hot language. If this be all, it is no great matter; but, if anger only brings out a plan that was before meditated, and laid up in the mind, the thing is more serious. The tenor of the speeches in Francis Street, attacking the idea of an incorporating union between the two kingdoms, expressed principles that went the full length of a separation, and of a dissolution of that union which arises from their being under the same crown. That Ireland would, in that case, come to make a figure amongst the nations, is an idea which has more of the ambition of individuals in it than of a sober regard to the happiness of a whole people. But if a people were to sacrifice solid quiet to empty glory, as on some occasions they have done—under the circumstances of Ireland, *she*, most assuredly, never would obtain that independent glory, but would certainly lose all her

tranquillity, all her prosperity, and even that degree of lustre which she has, by the very free and very honourable connection she enjoys with a nation the most splendid and the most powerful upon earth. (Ireland, *constitutionally*, is independent; *politically*, she never can be so. It is a struggle against nature. She must be protected, and there is no protection to be found for her, but either from France or England.) France, even if (under any form she may assume) she were disposed to give the same liberal and honourable protection to Ireland, has not the means of either serving or hurting her that are in the hands of Great Britain. She might make Ireland (supposing that kind of independence could be maintained, which for a year I am certain it could not) a dreadful thorn in the side of this kingdom; but Ireland would dearly buy that malignant and infernal satisfaction, by a dependence upon a power, either despotic, as formerly, or anarchical, as at present. We see well enough the kind of liberty which she either enjoys herself or is willing to bestow on others. This I say with regard to the scheme of those who call themselves United Irishmen; that is to say, of those who, without any regard to religion, club all kinds of discontents together, in order to produce all kinds of disorders. But to speak to Catholics, as such, it is plain that whatever security they enjoy for their religion, as well as for the many solid advantages which, even under the present restrictions, they are entitled to, depends wholly upon their connection with this king-

dom. France is an enemy to all religion; but eminently, and with a peculiar malignity, an enemy to the Catholic religion, which they mean, if they can, to extirpate throughout the globe. It is something perverse, and even unnatural, for Catholics to hear even the sound of a connection with France; unless, under the colour and pretext of a religious description, they should, as some have done in this country, form themselves into a mischievous political faction. Catholics, as things now stand, have all the splendid abilities and much of the independent property in Parliament in their favour, and every Protestant (I believe with very few exceptions) who is really a Christian. Should they alienate these men from their cause, their choice is amongst those who, indeed, may have ability, but not wisdom or temper in proportion; and whose very ability is not equal, either in strength or exercise, to that which they lose. They will have to choose men of desperate property, or of no property, and men of no religious and no moral principle. Without a Protestant connection of some kind or other they cannot go on; and here are the two sorts of descriptions of Protestants between whom they have an option to make. In this state of things their situation, I allow, is difficult and delicate. If the better part lies by in a sullen silence, they still cannot hinder the more factious part both from speaking and from writing; and the sentiments of those who are silent will be judged by the effusions of the people, who do not wish to conceal thoughts that the

sober part of mankind will not approve. On the other hand, if the better and more temperate part come forward to disclaim the others, they instantly make a breach in their own party, of which a malignant enemy will take advantage to crush them all. They will praise the sober part, but they will grant them nothing they shall desire; nay, they will make use of their submission as a proof that sober men are perfectly satisfied in remaining prostrate under their oppressive hands. These are dreadful dilemmas; and they are such as ever will arise when men in power are possessed with a crafty malignant disposition, without any real wisdom or enlarged policy.

However, as in every case of difficulty, there is a better way of proceeding and a worse; and that some medium may be found between an abject, and, for that reason, an imprudent submission, and a contumacious, absurd resistance,—what I would humbly suggest is, that on occasion of the declamations in the newspaper, they should make, not an apology (for that is dishonourable and dangerous), but a strong charge on their enemies for defamation; disclaiming the tenets, practices, and designs, impudently attributed to them, and asserting, in cool, modest, and determined language, their resolution to assert the privileges to which, as good citizens and good subjects, they hold themselves entitled, without being intimidated or wearied out by the opposition of the monopolists of the kingdom. In this there will be nothing mean or servile, or which can

carry any appearance of the effect of fear, but the contrary. At the same time it will remove the prejudices which, on this side of the water as well as on yours, are propagated against you with so much systematic pains. I think the committee would do well to do something of this kind in their own name. I trust those men of great ability in that committee, who incline to think that the Catholics ought to melt down their cause into the general mass of uncertain discontents and unascertained principles, will, I hope, for the sake of agreeing with those whom, I am sure, they love and respect among their own brethren, as well as for the sake of the kingdom at large, waive that idea (which I do not deny to be greatly provoked) of dissolving the Catholic body before the objects of its union are obtained, and turning the objects of their relief into a national quarrel. This, I am satisfied on recollection, they will think not irrational. The course taken by the enemy often becomes a fair rule of action. You see, by the whole turn of the debate against them, that their adversaries endeavoured to give this colour to the contest, and to make it hinge on this principle. The same policy cannot be good for you and your enemies. Sir George Shee, who is so good to take this, waits, or I should say more on this point. I should say something, too, of the colleges. I long much to hear how you go on. I have, however, said too much. If Grattan, by whom I wish the Catholics to be wholly advised, thinks differently from me, I wish the whole unsaid.

You see Lord Fitzwilliam sticks nobly to his text, and neither abandons his cause nor his friends, though he has few indeed to support him. When you can, pray let me hear from you. Mrs. Burke and myself, in this lonely and disconsolate house, never cease to think of you as we ought to do. I send some prints to Dublin; but, as your house is not there, I reserve a memorial of my dear Richard for your return. I am ever, my dear sir, faithfully and affectionately, your miserable friend,

EDM. BURKE.

BEACONSFIELD, *May* 18, 1795.

LETTER to THOMAS KEOGH, Esq.

SIR,

I AM so much out of the world that I am not surprised every one should be ignorant of, as he is uninterested in, the state of my health, my habits of life, or anything else that belongs to me.

Your obliging letter of the 20th of July was delivered to me at Bath, to which place I was driven by urgent necessity, as my only chance of preserving a life which did not then promise a month's duration. I was directed to suspend all application to business, even to the writing of a common letter, as it was thought that I had suffered by some such application, and by the attendant anxiety, before and about that time. I returned from Bath not well, but much recovered from the state in which I had been; and I continued in the

same condition of convalescence for a month or six weeks longer. Soon after I began gradually to decline, and at this moment I do not find myself very materially better or stronger than when I was sent to Bath.

I am obliged to you for the offer which you made in that letter of conveying anything from me to Ireland; but I really thought you had known that I have no kind of correspondence or communication with that country, and that for a good while I had not taken any part whatsoever in its affairs. I believe you must have observed, when last I had the honour of seeing you in London, how little any opinions of mine are likely to prevail with persons in power here,—even with those with whom I had formerly a long and intimate connection. I never see any of his Majesty's ministers, except one gentleman who, from mere compassion, has paid me some visits in this my retreat, and has endeavoured, by his generous sympathy, to soothe my pains and my sorrows; but that gentleman has no concern in Irish affairs, nor is, I believe, consulted about them. I cannot conceive how you or anybody can think that any sentiments of mine are called for, or even admitted, when it is notorious that there is nothing at home or abroad, in war or in peace, that I have the good fortune to be at all pleased with. I ought to presume that they who have a great public trust, who are of distinguished abilities, and who are in the vigour of their life, behold things in a juster point of view than I am able to see them, however my self-partiality may make

me too tenacious of my own opinion. I am in no degree of confidence with the great leader either of Ministry or Opposition.

In a general way, I am but too well acquainted with the distracted state of Ireland, and with the designs of the public enemy pointed at that kingdom. I have my own thoughts upon the causes of those evils. You do me justice in saying in your letter of July that I am a true Irishman. Considering, as I do, England as my country, of long habit, of obligation, and of establishment, and that my primary duties are hers, I cannot conceive how a man can be a genuine Englishman, without being at the same time a true Irishman, though fortune should have made his birth on this side the water. I think the same sentiments ought to be reciprocal on the part of Ireland, and, if possible, with much stronger reason. Ireland cannot be separated one moment from England without losing every source of her present prosperity, and even hope of her future. I am very much afflicted, deeply and bitterly afflicted, to see that a very small faction in Ireland should arrogate it to itself to be the whole of that great kingdom. I am more afflicted in seeing that a very minute part of that small faction should be able to persuade any person here, that on the support of their power the connection of the two kingdoms essentially depends. This strange error, if persevered in (as I am afraid it will), must accomplish the ruin of both countries. At the same time I must as bitterly regret that any persons who suffer

by the predominance of that corrupt fragment of a faction should totally mistake the cause of their evils as well as their remedy—if a remedy can be at all looked for; which, I confess, I am not sanguine enough to expect in any event, or from the exertions of any person; and least of all from exertions of mine, even if I had either health or prospect of life commensurate to so difficult an undertaking. I say, I do regret that the conduct of those who suffer should give any advantage to those who are resolved to tyrannise. I do believe that this conduct has served only as a pretext for aggravating the calamities of that party, which, though superior in number, is from many circumstances much inferior in force.

I believe there are very few cases which will justify a revolt against the established government of a country, let its constitution be what it will, and even though its abuses should be great and provoking; but I am sure there is no case in which it is justifiable, either to conscience or to prudence, to menace resistance when there is no means of effecting it, nor perhaps in the major part any disposition. You know the state of that country better than I can pretend to do, but I could wish, if there was any use in retrospect, that those menaces had been forborne, because they have caused a real alarm in some weak though well-intentioned minds; and because they furnish the bold and crafty with pretences for exciting a persecution of a much more fierce and terrible nature than I ever

remember, even when the country was under a system of laws apparently less favourable to its tranquillity and good government, at the same time that sober exertion has lessened in the exact proportion in which flashy menaces increased. Pusillanimity (as it often does) has succeeded to rage and fury. Against all reason, experience, and observation, many persons in Ireland have taken it into their heads that the influence of the Government here has been the cause of the misdemeanour of persons in power in that country, and that they are suffering under the yoke of a British dominion. I must speak the truth—I must say that (all the evils of Ireland originate within itself) that it is the boundless credit which is given to an Irish cabal that produces whatever mischiefs both countries may feel in their relation. (England has hardly anything to do with Irish government.) I heartily wish it were otherwise; but the body of the people of England, even the most active politicians, take little or no concern in the affairs of Ireland.) They are, therefore, by the minister of this country, who fears upon that account no responsibility here, and who shuns all responsibility in Ireland, abandoned to the direction of those who are actually in possession of its internal government; this has been the case more eminently for these five or six last years; and it is a system, if it deserves that name, not likely to be altered.

I conceive that the last disturbances, and those the most important, and which have the deepest root, do

not originate, nor have they their greatest strength, among the Catholics; but there is, and ever has been, a strong republican Protestant faction in Ireland, which has persecuted the Catholics as long as persecution would answer their purpose; and now the same faction would dupe them to become accomplices in effectuating the same purposes; and thus, either by tyranny or seduction, would accomplish their ruin. It was with grief I saw last year, with the Catholic delegates, a gentleman who was not of their religion, or united to them in any avowable bond of a public interest, acting as their secretary, in their most confidential concerns. I afterwards found that this gentleman's name was implicated in a correspondence with certain Protestant conspirators and traitors, who were acting in direct connection with the enemies of all government and religion. He might be innocent; and I am very sure that those who employed and trusted him were perfectly ignorant of his treasonable correspondences and designs, if such he had; but as he has thought proper to quit the king's dominions about the time of the investigation of that conspiracy, unpleasant inferences may have been drawn from it. I never saw him but once, which was in your company, and at that time knew nothing of his connections, character, or dispositions.

I am never likely to be called upon for my advice in this, or in any business; and after having once almost forcibly obtruded myself into it, and having found no sort of good effect from my uncalled-for inter-

ference, I shall certainly, though I should have better health than I can flatter myself with, never again thrust myself into those intricate affairs. Persons of much greater abilities, rank, and consequence than I am, and who had been called by their situation to those affairs, have been totally overwhelmed by the domineering party in Ireland, and have been disgraced and ruined, as far as independence, honour, and virtue can be ruined and disgraced. However, if your leisure permits you to pay a visit to this melancholy infirmary, I shall certainly receive any information with which you are pleased to furnish me; but merely as news, and what may serve to feed the little interest I take in this world. You will excuse my having used the hand of a confidential friend in this letter, for indeed I suffer much by stooping to write. — I have the honour to be, etc.

EDMUND BURKE.

BEACONSFIELD, *November* 17, 1796.

LETTER to REV. DR. HUSSEY.

MY DEAR SIR,

THIS morning I received your letter of the 30th of November from Maynooth. I dictate my answer from my couch, on which I am obliged to lie for a good part of the day. I cannot conceal from you, much less can I conceal from myself, that in all probability I am not

long for this world. Indeed, things are in such a situation, independently of the domestic wound, that I never could have less reason for regret in quitting the world than at this moment; and my end will be, by several, as little regretted.

I have no difficulty at all in communicating to you, or, if it were any use, to mankind at large, my sentiments and feelings on the dismal state of things in Ireland; but I find it difficult indeed to give you the advice you are pleased to ask, as to your own conduct in your very critical situation.

You state, what has long been but too obvious, that it seems the unfortunate policy of the hour to put to the far largest portion of the king's subjects in Ireland the desperate alternative between a thankless acquiescence under grievous oppression, or a refuge in Jacobinism, with all its horrors and all its crimes. You prefer the former dismal part of the choice. There is no doubt but that you would have reason, if the election of one of these evils was at all a security against the other. But they are things very alliable, and as closely connected as cause and effect. That Jacobinism which is speculative in its origin, and which arises from wantonness and fulness of bread, may possibly be kept under by firmness and prudence. The very levity of character which produces it may extinguish it. But Jacobinism, which arises from penury and irritation, from scorned loyalty and rejected allegiance, has much deeper roots. They take their nourishment from the bottom of human

nature, and the unalterable constitution of things, and not from humour and caprice, or the opinions of the day about privileges and liberties. These roots will be shot into the depths of hell, and will at last raise up their proud tops to heaven itself. This radical evil may baffle the attempts of heads much wiser than those are, who, in the petulance and riot of their drunken power, are neither ashamed nor afraid to insult and provoke those whom it is their duty, and ought to be their glory, to cherish and protect.

So then, the little wise men of the west, with every hazard of this evil, are resolved to persevere in the manly and well-timed resolution of a war against Popery. In the principle, and in all the proceedings, it is perfectly suited to their character. They begin this last series of their offensive operations by laying traps for the consciences of poor foot-soldiers. They call these wretches to their church (empty of a volunteer congregation), not by the bell, but by the whip. This ecclesiastic military discipline is happily taken up, in order to form an army of well-scourged Papists into a firm phalanx for the support of the Protestant religion. I wish them joy of this their valuable discovery in theology, politics, and the art military. Fashion governs the world, and it is the fashion in the great French empire of pure and perfect Protestantism, as well as in the little busy meddling province of servile imitators, that apes at a humble distance the tone of its capital, to make a crusade against you poor Catholics. But whatever may be thought in

Ireland of its share of a war against the Pope in that out-lying part of Europe, the zealous Protestant, Bonaparte, has given his late Holiness far more deadly blows, in the centre of his own power, and in the nearest seats of his influence, than the Irish Directory[1] can arrogate to itself within its own jurisdiction, from the utmost efforts of its political and military skill. I have my doubts (they may perhaps arise from my ignorance) whether the glories of the night expeditions, in surprising the cabin fortresses in Louth and Meath, or whether the slaughter and expulsion of the Catholic weavers by another set of zealots in Armagh, or even the proud trophies of the late potato field[2] in that county, are quite to be compared with the Protestant victories on the plains of Lombardy, or to the possession of the flat of Bologna, or to the approaching sack of Rome, where, even now, the Protestant commissaries give the law. In all this business Great Britain, to us merely secular politicians, makes no great figure; but let the glory of Great Britain shift for itself as it may. All is well, provided Popery is crushed.

This war against Popery furnishes me with a clue that leads me out of a maze of perplexed politics, which,

[1] By the "Irish Directory," Mr. Burke means the Protestant ascendency party, then in power in Ireland.

[2] Mr. Burke alludes to popular disturbances in Louth and Meath, and the very questionable means taken by the Irish Government to suppress them; to the attacks on the Catholics in Armagh by Orangemen; and probably to the "Battle of the Diamond," in that county, in September 1795.

without it, I could not in the least understand. I now can account for the whole. Lord Malmesbury is sent to prostrate the dignity of the English monarchy at Paris, that an Irish, Popish common soldier may be whipt in, to give an appearance of habitation, to a deserted Protestant Church in Ireland. Thus we balance the account—defeat and dishonour abroad; oppression at home. We sneak to the regicides, but we boldly trample on our poor fellow-citizens. But all is for the Protestant cause.

The same ruling principle explains the rest. We have abdicated the crown of Corsica, which had been newly soldered to the crown of Great Britain and to the crown of Ireland, lest the British diadem should look too like the Pope's triple crown. We have run away from the people of Corsica, and abandoned them without capitulation of any kind in favour of those of them who might be our friends; but then it was for their having capitulated with us for Popery, as a part of their constitution. We made amends for our sins by our repentance, and for our apostasy from Protestantism by a breach of faith with Popery. We have fled, overspread with dirt and ashes, but with hardly enough of sackcloth to cover our nakedness. We recollected that this island (together with its yews[1] and its other salubrious productions) had given birth to the illustrious champion of the Protestant world, Bonaparte. It was therefore not fit (to use the favourite French expression) that the cradle of this reli-

[1] Sic tua Cyrnæas fugiant examina taxos. Virg. Ecl. ix. 30.

gious hero should be polluted by the feet of the British renegade slaves who had stipulated to support Popery in that island, whilst his friends and fellow-missionaries are so gloriously employed in extirpating it in another. Our policy is growing every day into more and more consistency. We have showed our broad back to the Mediterranean; we have abandoned, too, the very hope of an alliance in Italy; we have relinquished the Levant to the Jacobins; we have considered our trade as nothing; our policy and our honour went along with it. But all these objects were well sacrificed to remove the very suspicion of giving any assistance to that abomination the Pope, in his insolent attempts to resist a truly Protestant power resolved to humble the Papal tiara, and to prevent his pardons and dispensations from being any longer the standing terror of the wise and virtuous Directory of Ireland; who cannot sit down with any tolerable comfort to an innocent little job, whilst his bulls are thundering through the world. I ought to suppose that the arrival of General Hoche is eagerly expected in Ireland; for he, too, is a most zealous Protestant, and he has given proof of it, by the studied cruelties and insults by which he put to death the old Bishop of Dol,[1] whom (but from the mortal fear I am in lest the suspicion of Popery should attach upon me) I should call a glorious martyr, and should class him amongst the most venerable prelates that have appeared in this century. It is to be feared, however, that the zealots will be disap-

[1] In Bretagne.

pointed in their pious hopes by the season of the year and the bad condition of the Jacobin navy, which may keep him this winter from giving his brother Protestants his kind assistance in accomplishing with you what the other friend of the cause, Bonaparte, is doing in Italy; and what the masters of these two pious men, the Protestant Directory of France, have so thoroughly accomplished in that, the most Popish, but unluckily, whilst Popish, the most cultivated, the most populous, and the most flourishing of all countries—the Austrian Netherlands.

When I consider the narrowness of the views, and the total want of human wisdom displayed in our western crusade against Popery, it is impossible to speak of it but with every mark of contempt and scorn. Yet one cannot help shuddering with horror when one contemplates the terrible consequences that are frequently the results of craft united with folly placed in an unnatural elevation. Such ever will be the issue of things when the mean vices attempt to mimic the grand passions. Great men will never do great mischief but for some great end. For this, they must be in a state of inflammation, and, in a manner, out of themselves. Among the nobler animals, whose blood is hot, the bite is never poisonous, except when the creature is mad; but in the cold-blooded reptile race, whose poison is exalted by the chemistry of their icy complexion, their venom is the result of their health, and of the perfection of their nature. Woe to

the country in which such snakes, whose *primum mobile* is their belly, obtain wings, and from serpents become dragons. It is not that these people want natural talents, and even a good cultivation; on the contrary, they are the sharpest and most sagacious of mankind in the things to which they apply. But, having wasted their faculties upon base and unworthy objects, in anything of a higher order they are far below the common rate of two-legged animals.

I have nothing more to say just now upon the Directory in Ireland, which, indeed, is alone worth any mention at all. As to the half-dozen (or half-score as it may be) of gentlemen, who, under various names of authority, are sent from hence to be the subordinate agents of that low order of beings, I consider them as wholly out of the question. Their virtues or their vices, their ability or their weakness, are matters of no sort of consideration. You feel the thing very rightly. (All the evils of Ireland originate within itself.) That unwise body, the United Irishmen, have had the folly to represent those evils as owing to this country, when, in truth, its chief guilt is in its total neglect, its utter oblivion, its shameful indifference, and its entire ignorance of Ireland, and of everything that relates to it, and not in any oppressive disposition towards that unknown region. No such disposition exists. English Government has farmed out Ireland, without the reservation of a pepper-corn rent in power or influence, public or individual, to the little narrow

faction that domineers there. Through that alone they see, feel, hear, or understand, anything relative to that kingdom. Nor do they any way interfere, that I know of, except in giving their countenance, and the sanction of their names, to whatever is done by that junto.

Ireland has derived some advantage from its independence on the Parliament of this kingdom, or rather, it did derive advantage from the arrangements that were made at the time of the establishment of that independence. But human blessings are mixed, and I cannot but think that even these great blessings were bought dearly enough when, along with the weight of the authority, they have totally lost all benefit from the superintendence of the British Parliament. Our pride of England is succeeded by fear. It is little less than a breach of order even to mention Ireland in the House of Commons of Great Britain. If the people of Ireland were to be flayed alive by the predominant faction, it would be the most critical of all attempts, so much as to discuss the subject in any public assembly upon this side of the water. If such a faction should hereafter happen, by its folly or its iniquity, or both, to promote disturbances in Ireland, the force paid by this kingdom (supposing our own insufficient) would infallibly be employed to redress them. This would be right enough, and indeed our duty, if our public councils at the same time possessed and employed the means of inquiring into the merits of that cause, in which their blood and treasure were to be laid out. By a strange inversion of

the order of things, not only the largest part of the natives of Ireland are thus annihilated, but the Parliament of Great Britain itself is rendered no better than an instrument in the hands of an Irish faction. This is ascendency with a witness! In what all this will end it is not impossible to conjecture, though the exact time of the accomplishment cannot be fixed with the same certainty as you may calculate an eclipse.

As to your particular conduct, it has undoubtedly been that of a good and faithful subject, and of a man of integrity and honour. You went to Ireland this last time, as you did the first time, at the express desire of the English minister of that department, and at the request of the Lord-Lieutenant himself. You were fully aware of the difficulties that would attend your mission; and I was equally sensible of them. Yet you consented, and I advised, that you should obey the voice of what we considered an indispensable duty. We regarded, as the great evil of the time, the growth of Jacobinism, and we were very well assured that, from a variety of causes, no part of these countries was more favourable to the growth and progress of that evil than our unfortunate country. I considered it as a tolerably good omen that Government would do nothing further to foment and promote the Jacobin malady that they called upon you, a strenuous and steady Royalist, an enlightened and exemplary clergyman, a man of birth and respectable connexions in the country, a man well-informed and conversant in State affairs, and in the

general politics of the several courts of Europe, and intimately and personally habituated in some of those courts. I regretted indeed that the ministry had declined to make any sort of use of the reiterated informations you had given them of the designs of their enemies, and had taken no notice of the noble and disinterested offers which, through me, were made for employing you to save Italy and Spain to the British alliance. But this being past, and Spain and Italy lost, I was in hopes that they were resolved to put themselves in the right at home, by calling upon you; that they would leave, on their part, no cause or pretext for Jacobinism, except in the seditious disposition of individuals; but I now see that, instead of profiting by your advice and services, they will not so much as take the least notice of your written representations, or permit you to have access to them, on the part of those whom it was your business to reconcile to Government, as well as to conciliate Government towards them. Having rejected your services as a friend of Government, and in some sort in its employment, they will not even permit to you the natural expression of those sentiments which every man of sense and honesty must feel, and which every plain and sincere man must speak, upon this vile plan of abusing military discipline, and perverting it into an instrument of religious persecution. You remember with what indignation I heard of the scourging of the soldier at Carrick for adhering to his religious opinions. It was at the time when

Lord Fitzwilliam went to take possession of a short-lived Government in Ireland.

He could not live long in power, because he was a true patriot, a true friend of both countries, a steady resister of Jacobinism in every part of the world. On this occasion he was not of my opinion. He thought, indeed, that the sufferer ought to be relieved and discharged, and I think he was so; but, as to punishment to be inflicted on the offenders, he thought more lenient measures, comprehended in a general plan to prevent such evils in future, would be the better course. My judgment, such as it was, had been that punishment ought to attach, so far as the laws permitted, upon every evil action of subordinate power, as it arose. That such acts ought at least to be marked with the displeasure of Government, because general remedies are uncertain in their operation when obtained; but that it is a matter of general uncertainty whether they can be obtained at all. For a time *his* appeared to be the better opinion. Even after he was cruelly torn from the embraces of the people of Ireland, when the militia and other troops were encamped (if I recollect right) at Loughlinstown, you yourself, with the knowledge and acquiescence of Government, publicly performed your function to the Catholics then in service. I believe, too, that all the Irish, who had composed the foreign corps taken into British pay, had their regular chaplains. But we see that things are returning fast to their old corrupted channels. There they will continue to flow.

If any material evil had been stated to have arisen from this liberty, that is, if sedition, mutiny, disobedience of any kind to command, had been taught in their chapels, there might have been a reason for not only forcing the soldiers into churches where better doctrines were taught, but for punishing the teachers of disobedience and sedition. But I have never heard of any such complaint. It is a part, therefore, of the systematic ill-treatment of Catholics. This system never will be abandoned, as long as it brings advantage to those who adopt it. If the country enjoys a momentary quiet, it is pleaded as an argument in favour of the good effect of wholesome rigours. If, on the contrary, the country grows more discontented, and if riots and disorders multiply, new arguments are furnished for giving a vigorous support to the authority of the Directory, on account of the rebellious disposition of the people. So long, therefore, as disorders in the country become pretexts for adding to the power and emolument of a junto, means will be found to keep one part of it, or other, in a perpetual state of confusion and disorder. This is the old traditionary policy of that sort of men. The discontents which, under them, break out amongst the people, become the tenure by which they hold their situation.

I do not deny that in these contests the people, however oppressed, are frequently much to blame; whether provoked to their excesses or not, undoubtedly the law ought to look to nothing but the offence, and punish it. The redress of grievances is not less necessary than the

punishment of disorders, but it is of another resort. In punishing, however, the law ought to be the only rule. If it is not of sufficient force; a force consistent with its general principles ought to be added to it. The first duty of a State is to provide for its own conservation. Until that point is secured it can preserve and protect nothing else. But, if possible, it has greater interest in acting according to strict law than even the subject himself. For, if the people see that the law is violated to crush them, they will certainly despise the law. They, or their party, will be easily led to violate it, whenever they can, by all the means in their power. Except in cases of direct war, whenever Government abandons law it proclaims anarchy. I am well aware (if I cared one farthing, for the few days I have to live, whether the vain breath of men blow hot or cold about me) that they who censure any oppressive proceeding of Government are exciting the people to sedition and revolt. If there be any oppression, it is very true, or if there be nothing more than the lapses which will happen to human infirmity at all times, and in the exercise of all power, such complaints would be wicked indeed. These lapses are exceptions implied, an allowance for which is a part of the understood covenant by which power is delegated by fallible men to other men that are not infallible; but, whenever a hostile spirit on the part of Government is shown, the question assumes another form. This is no casual error, no lapse, no sudden surprise; nor is it a question of civil or political

liberty. What contemptible stuff it is to say that a man who is lashed to church against his conscience would not discover that the whip is painful, or that he had a conscience to be violated, unless I told him so! Would not a penitent offender, confessing his offence and expiating it by his blood, when denied the consolation of religion at his last moments, feel it as no injury to himself; or that the rest of the world would feel so horrible and impious an oppression with no indignation, unless I happened to say it ought to be reckoned amongst the most barbarous acts of our barbarous times? Would the people consider the being taken out of their beds, and transported from their family and friends, to be an equitable, and legal, and charitable proceeding, unless I should say that it was a violation of justice and a dissolution, *pro tanto*, of the very compact of human society? If a House of Parliament, whose essence it is to be the guardian of the laws, and a sympathetic protector of the rights of the people, and eminently so of the most defenceless, should not only countenance but applaud this very violation of all law, and refuse even to examine into the grounds of the necessity upon the allegation of which the law was so violated, would this be taken for a tender solicitude for the welfare of the poor, and a true proof of the representative capacity of the House of Commons, unless I should happen to say (what I do say) that the House had not done its duty, either in preserving the sacred rules of law, or in justifying the woeful and humiliating

privilege of necessity? They may indemnify and reward others. They might contrive, if I was within their grasp, to punish me, or, if they thought it worth their while, to stigmatise me by their censures; but who will indemnify them for the disgrace of such an act? Who will save them from the censures of posterity? What act of oblivion will cover them from the wakeful memory, from the notices and issues of the grand remembrancer—the God within? Would it pass with the people who suffer from the abuse of lawful power, when at the same time they suffer from the use of lawless violence of factions amongst themselves, that Government had done its duty, and acted leniently in not animadverting on one of those acts of violence, if I did not tell them that the lenity with which Government passes by the crimes and oppressions of a favourite faction was itself an act of the most atrocious cruelty? If a Parliament should hear a declamation attributing the sufferings of those who are destroyed by these riotous proceedings to their misconduct, and then to make them self-felonious, and should in effect refuse an inquiry into the fact, is no inference to be drawn from thence, unless I tell men in high places that these proceedings, taken together, form not only an encouragement to the abuse of power, but to riot, sedition, and a rebellious spirit, which, sooner or later, will turn upon those that encourage it?

I say little of the business of the potato field, because I am not acquainted with the particulars. If

any persons were found in arms against the king, whether in a field of potatoes, or of flax, or of turnips, they ought to be attacked by a military power, and brought to condign punishment by course of *law*. If the county in which the rebellion was raised was not in a temper fit for the execution of justice, a law ought to be made, such as was made with regard to Scotland, in the suppression of the Rebellion of '45, to try the delinquents. There would be no difficulty in convicting men who were found "*flagranto delicte*." But I hear nothing of all this. No law, no trial, no punishment commensurate to rebellion, nor of a known proportion to any lesser delinquency, nor any discrimination of the more or the less guilty. Shall you and I find fault with the proceedings of France, and be totally indifferent to the proceedings of Directories at home? You and I hate Jacobinism as we hate the gates of hell. Why? Because it is a system of oppression. What can make us in love with oppression because the syllables "*Jacobin*" are not put before the "*ism*," when the very same things are done under the "*ism*" preceded by any other name in the Directory of Ireland?

I have told you, at a great length for a letter,—very shortly for the subject and for my feelings on it,—my sentiments of the scene in which you have been called to act. On being consulted, you advised the sufferers to quiet and submission; and, giving Government full credit for an attention to its duties, you held out, as an inducement to that submission, some sort of hope of

redress. You tried what your reasons and your credit would do to effect it. In consequence of this piece of service to Government you have been excluded from all communication with the Castle; and perhaps you may thank yourself that you are not in Newgate. You have done a little more than, in your circumstances, I should have done. You are, indeed, very excusable from your motives; but it is very dangerous to hold out to an irritated people any hopes that we are not pretty sure of being able to realise. The doctrine of passive obedience, as a doctrine, it is unquestionably right to teach, but to go beyond that is a sort of deceit; and the people who are provoked by their oppressors do not readily forgive their friends, if, whilst the first persecute, the other appear to deceive them. These friends lose all power of being serviceable to that Government in whose favour they have taken an ill-considered step; therefore, my opinion is that, until the Castle shall show a greater disposition to listen to its true friends than hitherto it has done, it would not be right in you any further to obtrude your services. In the meantime, upon any new application from the Catholics, you ought to let them know, simply and candidly, how you stand.

The Duke of Portland sent you to Ireland, from a situation in this country of advantage and comfort to yourself, and no small utility to others. You explained to him, in the clearest manner, the conduct you were resolved to hold. I do not know that your writing to

him will be of the smallest advantage. I rather think not; yet I am far from sure that you do not owe to him and yourself to represent to his Grace the matters which in substance you have stated to me.

If anything else should occur to me, I shall, as you ask it, communicate my thoughts to you. In the meantime, I shall be happy to hear from you as often as you find it convenient. You never can neglect the great object of which you are so justly fond; and let me beg of you not to let slip out of your mind the idea of the auxiliary studies and acquirements which I recommended to you, to add to the merely professional pursuits of your young clergy; and, above all, I hope that you will use the whole of your influence among the Catholics to persuade them to a greater indifference about the political objects which at present they have in view. It is not but that I am aware of their importance, or that I wish them to be abandoned; but that they would follow opportunities, and not attempt to force anything. I doubt whether the privileges they now seek, or have lately sought, are compassable. The struggle would, I am afraid, only lead to those very disorders which are made pretexts for further oppression of the oppressed. I wish the leading people amongst them would give the most systematic attention to prevent frequent communication with their adversaries. There are a part of them proud, insulting, capricious, and tyrannical. These, of course, will keep at a distance. There are others of a seditious temper, who

would make them at first the instruments, and in the end the victims, of their factious temper and purposes. Those that steer a middle course are truly respectable, but they are very few. Your friends ought to avoid all imitation of the vices of their proud lords. To many of these they are themselves sufficiently disposed. I should therefore recommend to the middle ranks of that description,—in which I include not only all merchants, but all farmers and tradesmen,—that they would change as much as possible those expensive modes of living, and that dissipation, to which our countrymen in general are so much addicted. It does not at all become men in a state of persecution. They ought to conform themselves to the circumstances of a people whom Government is resolved not to consider as upon a par with their fellow-subjects. Favour, they will have none. They must aim at other resources; and to make themselves independent in *fact*, before they aim at a *nominal* independence. Depend upon it, that, with half the privileges of the others, joined to a different system of manners, they would grow to a degree of importance, to which, without it, no privileges could raise them, much less any intrigues or factious practices. I know very well that such a discipline, among so numerous a people, is not easily introduced, but I am sure it is not impossible. If I had youth and strength, I would go myself over to Ireland to work on that plan; so certain I am that the well-being of all descriptions in the kingdom, as well as of themselves,

depends upon a reformation amongst the Catholics. The work will be new, and slow in its operation, but it is certain in its effect. There is nothing which will not yield to perseverance and method. Adieu! my dear sir. You have full liberty to show this letter to all those (and they are but very few) who may be disposed to think well of my opinions. I did not care, so far as regards myself, whether it were read on the 'Change; but with regard to you, more reserve may be proper; but of that you will be the best judge.

December 1796.

LETTER to the RIGHT HON. WM. WINDHAM.

MY DEAR FRIEND,

. . . IRELAND is in a truly unpleasant situation. The Government is losing the hearts of the people, if it has not quite lost them, by the falsehood of its maxims, and their total ignorance in the art of governing. The Opposition in that country, as well as in this, is running the whole course of Jacobinism, and losing credit amongst the sober people, as the other loses credit with the people at large. It is a general bankruptcy of reputation in both parties. They must be singularly unfortunate who think to govern by dinners and bows, and who mistake the oil which facilitates the motion for the machine itself. It is a terrible thing for Government to put its confidence in a handful of people of

fortune, separate from all holdings and dependencies. A full levée is not a complete army. I know very well that when they disarm a whole province they think that all is well; but to take away arms is not to destroy disaffection. It has cast deep roots in the principles and habits of the majority amongst the lower and middle classes of the whole Protestant part of Ireland. The Catholics who are intermingled with them are more or less tainted. In the other parts of Ireland (some in Dublin only excepted) the Catholics, who are in a manner the whole people, are as yet sound; but they may be provoked, as all men easily may be, out of their principles. I do not allude to the granting or withholding the matters of privilege, etc., which are in discussion between them and the Castle. In themselves, I consider them of very little moment, the one way or the other. But the principle is what sticks with me; which principle is the avowal of a direct, determined hostility to those who compose the infinitely larger part of the people, and that part upon whose fidelity, let what will be thought of it, the whole strength of Government ultimately rests. But I have done with this topic, and perhaps for ever, though I receive letters from the fast friends of the Catholics to solicit Government here to consider their true interests. Neglect, contumely, and insult, were never the ways of keeping friends; and they add nothing to force against an enemy. . . .

EDM. BURKE.

BATH, *March* 30, 1796.

LETTER to Dr. Laurence.

My dear Laurence,

I am satisfied that there is nothing like a fixed intention of making a real change of system in Ireland; but that they vary from day to day as their hopes are more or less sanguine from the Luttrellade. The system of military government is mad in the extreme—merely as a system, but still worse in the mad hands in which it is placed. But my opinion is, that if Windham has not been brought into an absolute relish of this scheme, he has been brought off from any systematical dislike to it. When I object to the scheme of any military government, you do not imagine that I object to the use of the military arm in its proper place and order; but I am sure that so long as this is looked upon as principal, it will become the sole reliance of Government—and that from its apparent facility, everything whatsoever belonging to real civil policy in the management of a people will be postponed, if not totally set aside. The truth is, the government of Ireland grows every day more and more difficult; and, consequently, the incapacity of the jobbers there every day more and more evident; but as long as they can draw upon England for indefinite aids of men and sums of money, they

will go on with more resolution than ever in their jobbing system. Things must take their course.[1] . . . Yours ever,

E. B.

BEACONSFIELD, *June* 5, 1797.

[1] Mr. Burke died on the 9th of July 1797, aged sixty-seven.

THE END.

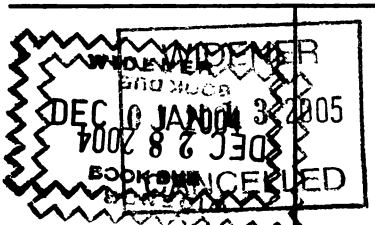
Printed by R. & R. CLARK, *Edinburgh.*

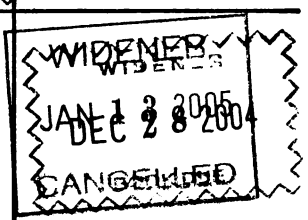
THE BORROWER WILL BE CHARGED AN OVERDUE FEE IF THIS BOOK IS NOT RETURNED TO THE LIBRARY ON OR BEFORE THE LAST DATE STAMPED BELOW. NON-RECEIPT

The borrower must return this item on or before the last date stamped below. If another user places a recall for this item, the borrower will be notified of the need for an earlier return.

Non-receipt of overdue notices does not exempt the borrower from overdue fines.

Harvard College Widener Library
Cambridge, MA 02138 617-495-2413





Please handle with care.
Thank you for helping to preserve library collections at Harvard.